

AO 120 (Rev. 2/99)

TO: Commissioner of Patents and Trademarks Washington, DC 20231	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Middle Florida on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 3:14-cv-274-J-32PDB	DATE FILED 3/10/2014	U.S. DISTRICT COURT Middle District of Florida, Jacksonville Division
PLAINTIFF VISUAL REAL ESTATE		DEFENDANT GOOGLE INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US 7,389,181 B2	6/17/2008	WILLIAM D. MEADOW AND RANDALL A. GORDIE, JR.
2 US 7,929,800 B2	4/19/2014	WILLIAM D. MEADOW AND RANDALL A. GORDIE, JR.
3 US 8,078,396 B2	12/13/2011	WILLIAM D. MEADOW, RANDALL A. GORDIE, JR., AND MATTHEW PAVELLE

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT		
CLERK SHERYL L. LOESCH	(BY) DEPUTY CLERK	DATE 3/11/2014

Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy



* N E W D O C *

14 C 185 wmc

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Wisconsin on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT <u>Western District of Wisconsin</u>
PLAINTIFF <u>Peter F. Wingard</u>		DEFENDANT <u>Metro Kia of Madison</u> <u>5442 Wayne Terrace</u> <u>Madison, Wisconsin 53718</u>
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 <u>5,530,431</u>	<u>June 25, 1996</u>	<u>Peter F. Wingard</u>
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT		
CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 2

PATENT NO. : 8,078,396
APPLICATION NO. : 12/035,423
ISSUE DATE : 12-31-2011
INVENTOR(S) : William D. Meadow, Randall A. Gordie, Matthew Pavelle

It is certified that an error appears or errors appear in the above identified patent and that said Letters Patent is hereby corrected as shown below:

In the first paragraph on Page 1, Lines 6-13, please amend the Cross Reference to Related Applications section as follows:

CROSS REFERENCE TO RELATED APPLICATIONS

The present application claims priority to pending patent application S/N 11/216,465, filed, Aug 31, 2005 and entitled, "Apparatus and Method for Producing Video Drive-By Data Corresponding to a Geographic Location," as a Continuation in Part Patent Application, the contents of which are relied upon and incorporated by reference, and also pending application 11/ 702,708 filed February 6, 2007 and entitled Methods and Apparatus for Generating a Continuum of Image Data, as a Continuation in Part Patent Application, the contents of which are each relied upon and incorporated by reference; and also pending application 11/ 702,707 filed February 6, 2007 and entitled "Methods and Apparatus for Presenting a Continuum of Image Data", as a Continuation in Part Patent Application; the contents of which are each relied upon and incorporated by reference.

MAIL ADDRESS OF SENDER (Please do not use customer number below)

Joseph P. Kincart
Ideation Law
4320 Deerwood Lake Parkway, Suite 1001-408
Jacksonville, Florida 32216

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Acknowledgement Receipt	
EFS ID:	16462942
Application Number:	12035423
International Application Number:	
Confirmation Number:	9950
Title of Invention:	METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA
First Named Inventor/Applicant Name:	William D. Meadow
Customer Number:	72291
Filer:	joseph P. Kincart/Linda Shutterly
Filer Authorized By:	joseph P. Kincart
Attorney Docket Number:	RDC.0004
Receipt Date:	31-JUL-2013
Filing Date:	21-FEB-2008
Time Stamp:	12:08:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Certificate of Correction	RDC0004CertificateofCorrection20130731.pdf	52201 51e83a9017db0440556bd089eb5ee30c60d4f4ca	no	1

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 8,078,396 B2
APPLICATION NO. : 12/035423
DATED : December 13, 2011
INVENTOR(S) : William D. Meadow, Randall A. Gordie, Jr. and Matthew Pavelle

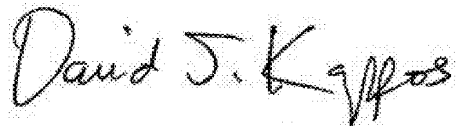
Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 1, lines 7-17 insert the following:

--The present application claims priority to pending patent application S/N 11/216,465, filed, Aug 31, 2005 and entitled, "Apparatus and Method for Producing Video Drive-By Data Corresponding to a Geographic Location,"; and also pending application 11/702,708 filed February 6, 2007 and entitled Methods and Apparatus for Generating a Continuum of Image Data; and also pending application 11/702,707 filed February 6, 2007 and entitled Methods and Apparatus for Presenting a Continuum of Image Data; the contents of which are each relied upon and incorporated by reference--

Signed and Sealed this
Thirtieth Day of October, 2012

A handwritten signature in black ink that reads "David J. Kappos". The signature is written in a cursive, flowing style with a large, stylized "D" and "K".

David J. Kappos
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 2

PATENT NO. : 8,078,396

APPLICATION NO.: 12/035,423

ISSUE DATE : 12-13-2011

INVENTOR(S) : William D. Meadow, Randall A. Gordie, Jr., Matthew Pavelle

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

The present application claims priority to pending patent application S/N 11/216,465, filed, Aug 31, 2005 and entitled, "Apparatus and Method for Producing Video Drive-By Data Corresponding to a Geographic Location,"; and also pending application 11/ 702,708 filed February 6, 2007 and entitled Methods and Apparatus for Generating a Continuum of Image Data; and also pending application 11/ 702,707 filed February 6, 2007 and entitled Methods and Apparatus for Presenting a Continuum of Image Data; the contents of which are each relied upon and incorporated by reference

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Joseph P.Kincart
Ideation Law
4320 Deerwood Lake Parkway, Suite 1001-408

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal				
Application Number:		12035423		
Filing Date:		21-Feb-2008		
Title of Invention:		METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA		
First Named Inventor/Applicant Name:		William D. Meadow		
Filer:		joseph P. Kincart/Linda Shutterly		
Attorney Docket Number:		RDC.0004		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Certificate of correction	1811	1	100	100
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				100

Electronic Acknowledgement Receipt	
EFS ID:	13758395
Application Number:	12035423
International Application Number:	
Confirmation Number:	9950
Title of Invention:	METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA
First Named Inventor/Applicant Name:	William D. Meadow
Customer Number:	72291
Filer:	joseph P. Kincart/Linda Shutterly
Filer Authorized By:	joseph P. Kincart
Attorney Docket Number:	RDC.0004
Receipt Date:	15-SEP-2012
Filing Date:	21-FEB-2008
Time Stamp:	10:02:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$100
RAM confirmation Number	11417
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Request for Certificate of Correction	RDC0004CertCorrection.pdf	165038 703309a9ab740a6f5771667f596beedfe0cd 269c	no	2
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30212 6259862aedeae62b5117e598041c53e48df1 c5dce	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			195250		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

Docket No. RDC.0004
Application No.: 12/035,423
Petition to Withdraw Issuance

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 12/035,423 Filing Date: February 21, 2008
Inventors: William D. Meadow Art Unit: 3661
Confirmation No.: 9950 Examiner: Arthur Jeanglaude, Gertrude

Title: METHODS AND APPARATUS GENERATING A CONTINUUM OF THREE-DIMENSIONAL IMAGE DATA

MAIL STOP AMENDMENT
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR 1.313(c)

Sir:

The Petitioner respectfully requests that the Issuance of the above patent application be withdrawn and the amendments included herein be made. A Request for Continuing Examination is filed herewith :

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 8 of this paper.

Adjustment date: 12/19/2011 CKHLOK
12/13/2011 INTEFSW 00007562 12035423
02 FC:1464 -130.00 OP
03 FC:2001 -465.00 OP

Refund Ref.:
12/19/2011 0030105566

Credit Card Refund Total: \$595.00

Am Exp.: XXXXXXXXXXXX3019

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND														
1 Date of Request: 12/16/11		2 Serial/Patent # 12/035,423												
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT										
	Filing			\$										
	Amendment			\$										
	Extension of Time			\$										
	Notice of Appeal/Appeal			\$										
X	Petition		12/12/11	\$ 130.00										
	Issue			\$										
	Cert of Correction/Terminal Disc.			\$										
	Maintenance			\$										
	Assignment			\$										
X	Other RCE		12/12/11	\$ 465.00										
			7 TOTAL AMOUNT OF REFUND	\$ 595.00										
8 TO BE REFUNDED BY:														
10 REASON:		X	Treasury Check											
	Overpayment		Credit Deposit A/C #:											
	Duplicate Payment		9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>											
X	No Fee Due (Explanation):													
The application has already issued, can not be withdrawn from issue.														
11 REFUND REQUESTED BY:														
TYPED/PRINTED NAME: Terri Johnson		TITLE: Paralegal Specialist												
SIGNATURE: /Terri Johnson/		PHONE: (571) 272-2991												
OFFICE: Office of Petitions														
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****														
APPROVED:		DATE: 12/19/11												

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**IDEATION LAW
2750 RIVERSIDE AVENUE
JACKSONVILLE FL 32205**

MAILED

DEC 16 2011

OFFICE OF PETITIONS

In re Application of	:
William D. Meadow, et al.	:
Application No. 12/035,423	: DECISION DISMISSING PETITION
Filed: February 21, 2008	: UNDER 37 CFR 1.313(c)(2)
Attorney Docket No. RDC.0004	:

This is a decision on the petition under 37 CFR 1.313(c)(2), filed December 12, 2011, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **DISMISSED AS MOOT**.

Unfortunately, the petition was not referred to the appropriate deciding official for decision until after the issuance of this application into a patent. However, petitioner's attention is directed to 37 CFR 1.313(d), which states:

A petition under this section will not be effective to withdraw the application from issue unless it is actually received and granted by the appropriate officials **before the date of issue**. (Emphasis added)

In this case, the petition was received into the USPTO file record via electronically on December 12, 2011, how the petition to withdraw from issue had the wrong document code and was not seen until December 14, 2011 after the application had already issued. Therefore, as the case has now issued, the petition to withdraw from issue cannot be granted.

The request for continued examination (RCE) filed concurrently with the petition is improper in view of the issuance of this application into a patent and will not be processed. Accordingly, the \$810 filing fee and the \$130 petition fee submitted are unnecessary and will be refunded in due course.

The amendment has been made of record in the file of the above-identified application without further consideration.

Petitioner is advised, that while petitions to withdraw from issue may be filed electronically to the Commissioner for Patents, as was done in this case, applicants were cautioned to hand carry or fax petitions to withdraw from issue directly to the Office of Petitions or give the Office of

Petitions a call to inform that a petition to withdraw from issue was filed via EFS. *See* MPEP § 1308.

Telephone inquiries should be directed to Terri Johnson at (571) 272-2991.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

Docket No. RDC.0004
Application No.: 12/035,423
Petition to Withdraw Issuance

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	12/035,423	Filing Date:	February 21, 2008
Inventors:	William D. Meadow	Art Unit:	3661
Confirmation No.:	9950	Examiner:	Arthur Jeanglaude, Gertrude

Title: METHODS AND APPARATUS GENERATING A CONTINUUM OF THREE-DIMENSIONAL IMAGE DATA

MAIL STOP AMENDMENT
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR 1.313(c)

Sir:

The Petitioner respectfully requests that the Issuance of the above patent application be withdrawn and the amendments included herein be made. A Request for Continuing Examination is filed herewith :

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 8 of this paper.

Docket No. RDC.0004
Application No.: 12/035,423
Petition to Withdraw Issuance

In the Specification, the Petitioner requests that paragraph [0001] be amended as follows:

“CROSS REFERENCE TO RELATED APPLICATIONS

The present application claims priority to pending patent application S/N 11/216,465, filed, Aug 31, 2005 and entitled, “Apparatus and Method for Producing Video Drive-By Data Corresponding to a Geographic Location,”; and also pending application 11/ 702,708 filed February 6, 2007 and entitled Methods and Apparatus for Generating a Continuum of Image Data; and also pending application 11/ 702,707 filed February 6, 2007 and entitled Methods and Apparatus for Presenting a Continuum of Image Data; each as a Continuation in Part Application the contents of which are each relied upon and incorporated by reference.”

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Presently Presented). A method for creating a continuum of ~~three-dimensional~~ image data, the method comprising:

a) receiving multiple two-dimensional image data sets of a subject, wherein each image data set is captured from a disparate point on a continuum and each image data set comprises a plurality of features;

b) generating a composite image of the subject from portions of two or more of the multiple two-dimensional image data sets, wherein the portions are aligned in a dimension consistent with the continuum;

c) receiving data descriptive of a location of the plurality of features;

d) tracking the position of at least one of the plurality of features in two or more of the two-dimensional images;

e) generating a point cloud array for the at least one of the plurality of features;

f) converting the point cloud array to a polygon based model; and

g) associating a location for the polygon based model relative to the portions of the image data sets and based upon the location of the plurality of features.

2. (Presently Presented). The method of claim 1 additionally comprising the step of spraying image data onto the polygon based model, wherein the polygon based model comprises at least one three dimensional polygon based model and wherein the image data sprayed onto the polygon based model is based upon two-dimensional image data sets and the location of the polygon based model.

3. (Original). The method of claim 1 comprising the step of associating the polygon based model with an icon.

4. (Original). The method of claim 3 wherein the icon is symbolic of at least one of: a fire hydrant; a utility location; and traffic signal device.
5. (Original). The method of claim 1 additionally comprising the steps of:
repeating steps a) through f) multiple times each from disparate points along the continuum; and
spraying image data onto the each polygon based model, wherein the image data sprayed onto the each polygon based model is based upon two-dimensional image data sets and the location of each respective polygon based model.
6. (Original). The method of claim 1 wherein the point cloud array in a polygon format is generated by steps comprising:
casting a ray through each pixel comprising a feature comprising the multiple two-dimensional image data sets, wherein the ray originates in a position based upon the disparate point on a continuum;
determining an intersection of each ray associated with the first two-dimensional image data set and each ray associated with the second two-dimensional image data set; and
creating a voxel for a three-dimensional point cloud array at each intersection.
7. (Original). The method of claim 2 wherein the image data sprayed onto the polygon based model comprises:
a composite image of the subject generated from aligned portions of two or more two-dimensional image data sets captured from the disparate points along the continuum and aligned in a dimension consistent with the continuum.
8. (Original). The method of claim 1 wherein the data descriptive of a location comprises a Cartesian coordinate.
9. (Original). The method of claim 8 wherein the data descriptive of a location of the plurality of features comprises a latitude and longitude coordinate.

10. (Original). The method of claim 1 additionally comprising the step of associating metadata with a polygon based model.
11. (Original). The method of claim 1, wherein the composite image comprises a single vertical slice of each of the two or more images.
12. (Original). The method of claim 11, additionally comprising the steps of:
recording positional data descriptive of a respective location of each of the multiple two-dimensional image data sets of a subject; and
associating the composite image with a particular portion of the subject based upon the positional data.
13. (Original). The method of claim 12 wherein the subject comprises a geographic area and the positional data comprises a geospatial designation.
14. (Original). The method of claim 13 wherein the method additionally comprises the steps of generating the positional data based upon latitude and longitude coordinates of a camera capturing the two or more images and data descriptive of the camera orientation while the camera captured the two or more images.
15. (Original). The method of claim 13 wherein the different points in a continuum comprise positions of a vehicle traveling on a roadway.
16. (Original). The method of claim 12 wherein the method additionally comprises the steps of overlaying metadata on the composite image descriptive of the composite image.
17. (Original). The method of claim 12 wherein the method additionally comprises the steps of overlaying links to additional data related to the composite image.

18. (Original). The method of claim 17 wherein the additional data is related to the composite image based upon the positional data.
19. (Original). The method of claim 13 wherein each of the two or more images are captured with a camera at a position about orthogonal to the subject matter.
20. (Original). The method of claim 19 wherein the camera is at an angle of between about 85° and about 95° relative to the subject matter.
21. (Original). The method of claim 19 additionally comprising an altimeter and wherein the method additionally comprises the steps of record data indicative of an altitude of the camera at the instance of image data set generation.
22. (Original). The method of claim 12 wherein the two or more images are captured with a camera oriented in a direction about orthogonal to a line between two points on the continuum.
23. (Original). The method of claim 22 wherein the camera is at an angle of between about 75° and about 105° relative to the line.
24. (Original). The method of claim 1 wherein the images are captured by a camera mounted to a vehicle traveling in proximity to a subject matter comprising a geographic parcel and a width of each vertical slice is based upon a speed of image capture of the camera and the velocity of the vehicle travel.
25. (Original). The method of claim 3 wherein the method additionally comprises the steps of combining the composite image with an aerial view image of the geographic area.
26. (New) A system including a image data and data server farm comprising: at least one image data storage server that stores image data files containing video drive-by data that corresponds to a geographic location; a database server that processes a data query received from

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Application No.: 12/035,423
Petition to Withdraw Issuance

a user over a communications network that corresponds to a geographic location of interest; and an image processing server; wherein the database server identifies image data files stored in the video storage server that correspond to the geographic location of interest contained in the data query, and transfers the image data files over a pre-processing network to the image processing server; and wherein the image processing server converts the video drive-by data to post processed image data corresponding to a desired image format, and transfers the post processed image data via post-processing network to the communications network in response to the query.

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REMARKS

Claims 1-25 are pending in the application. Claims 1-25 have been allowed. New Claim 26 has been added.

I. Priority Claim Correction

On February 21, 2008, the above-identified application was filed. The application claimed priority to three co-pending applications. The specification for the subject application included the following in the first paragraph [0001] of the specification.

“CROSS REFERENCE TO RELATED APPLICATIONS

The present application claims priority to pending patent application S/N 11/216,465, filed, Aug 31, 2005 and entitled, “Apparatus and Method for Producing Video Drive-By Data Corresponding to a Geographic Location,”; and also pending application 11/ 702,708 filed February 6, 2007 and entitled Methods and Apparatus for Generating a Continuum of Image Data; and also pending application 11/ 702,707 filed February 6, 2007 and entitled Methods and Apparatus for Presenting a Continuum of Image Data; the contents of which are each relied upon and incorporated by reference.”

Upon checking the Continuity Data listed on Private Pair for the above identified application the Petitioner discovered that the Parent Priority data is not listed and is therefore incorrect. The Petitioner hereby requests that the Issuance be withdrawn so that the priority data may be corrected.

Specifically, in the Specification, the Petitioner requests that paragraph [0001] be amended s follows:

“CROSS REFERENCE TO RELATED APPLICATIONS

The present application claims priority to pending patent application S/N 11/216,465, filed, Aug 31, 2005 and entitled, “Apparatus and Method for Producing Video Drive-By Data Corresponding to a Geographic Location,”; and also pending application 11/ 702,708 filed February 6, 2007 and entitled Methods and Apparatus for Generating a Continuum of Image Data; and also pending application 11/ 702,707 filed February 6, 2007 and entitled Methods and

Docket No. RDC.0004
Application No.: 12/035,423
Petition to Withdraw Issuance

Apparatus for Presenting a Continuum of Image Data; each as a Continuation in Part Application
the contents of which are each relied upon and incorporated by reference.”

The Petitioner additionally requests the Continuity Data be updated to reflect the correct information.

II. New Claim 26: Claim 26 has been added in order to include a claim which is supported in the original filed application.

III. Conclusions

Applicants request the Examiner to:

- (1) enter the amendments to the Specification;
- (2) approve the corrected claim to priority and Continuity Data; and
- (2) pass claims 1-25 on to allowance.

If the Examiner is of a contrary view, the Examiner is requested to contact the undersigned attorney at (904) 305-4809.

Date: December 12, 2011

Respectfully submitted,

/J P Kincart/

Joseph P. Kincart

Reg. Number 43,716

MAILING ADDRESS

Joseph P. Kincart, Esq.
2750 Riverside Avenue
Jacksonville, FL 32205
904.305.4809 – tel.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	12/035,423
Filing Date	02-21-2008
First Named Inventor	William D. Meadow
Art Unit	3661
Examiner Name	ARTHUR JEANGLAUDE, GERTRUDE
Attorney Docket Number	RDC.0004

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition to Withdraw from Issuance

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. _____.
- a. ☐
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	/Joseph P. Kincart/	Date	12/12/2011
Name (Print/Type)	Joseph P. Kincart	Registration No.	43,716

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	/Linda Shutterly/	Date	12/11/2011
Name (Print/Type)	Linda Shutterly		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for RCEs

(not to be submitted to the USPTO)

NOTES:

An RCE is not a new application, and filing an RCE will not result in an application being accorded a new filing date.

Filing Qualifications:

The application must be a utility or plant application filed on or after June 8, 1995. The application cannot be a provisional application, a utility or plant application filed before June 8, 1995, a design application, or a patent under reexamination. See 37 CFR 1.114(e).

Filing Requirements:

Prosecution in the application must be closed. Prosecution is closed if the application is under appeal, or the last Office action is a final action, a notice of allowance, or an action that otherwise closes prosecution in the application (e.g., an Office action under *Ex parte Quayle*). See 37 CFR 1.114(b).

A submission and a fee are required at the time the RCE is filed. If reply to an Office action under 35 U.S.C. 132 is outstanding (e.g., the application is under final rejection), the submission must meet the reply requirements of 37 CFR 1.111. If there is no outstanding Office action, the submission can be an information disclosure statement, an amendment, new arguments, or new evidence. See 37 CFR 1.114(c). The submission may be a previously filed amendment (e.g., an amendment after final rejection).

WARNINGS:

Request for Suspension of Action:

All RCE filing requirements must be met before suspension of action is granted. A request for a suspension of action under 37 CFR 1.103(c) does not satisfy the submission requirement and does not permit the filing of the required submission to be suspended.

Improper RCE will NOT toll Any Time Period:

Before Appeal - If the RCE is improper (e.g., prosecution in the application is not closed or the submission or fee has not been filed) and the application is not under appeal, the time period set forth in the last Office action will continue to run and the application will be abandoned after the statutory time period has expired if a reply to the Office action is not timely filed. No additional time will be given to correct the improper RCE.

Under Appeal - If the RCE is improper (e.g., the submission or the fee has not been filed) and the application is under appeal, the improper RCE is effective to withdraw the appeal. Withdrawal of the appeal results in the allowance or abandonment of the application depending on the status of the claims. If there are no allowed claims, the application is abandoned. If there is at least one allowed claim, the application will be passed to issue on the allowed claim(s). See MPEP 1215.01.

See MPEP 706.07(h) for further information on the RCE practice.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Patent Application Fee Transmittal				
Application Number:		12035423		
Filing Date:		21-Feb-2008		
Title of Invention:		METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA		
First Named Inventor/Applicant Name:		William D. Meadow		
Filer:		joseph P. Kincart/Linda Shutterly		
Attorney Docket Number:		RDC.0004		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	2202	1	30	30
Miscellaneous-Filing:				
Petition:				
Petition fee- 37 CFR 1.17(h) (Group III)	1464	1	130	130
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Request for continued examination	2801	1	465	465
Total in USD (\$)				625

Electronic Acknowledgement Receipt	
EFS ID:	11600497
Application Number:	12035423
International Application Number:	
Confirmation Number:	9950
Title of Invention:	METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA
First Named Inventor/Applicant Name:	William D. Meadow
Customer Number:	72291
Filer:	joseph P. Kincart/Linda Shutterly
Filer Authorized By:	joseph P. Kincart
Attorney Docket Number:	RDC.0004
Receipt Date:	12-DEC-2011
Filing Date:	21-FEB-2008
Time Stamp:	23:33:54
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$625
RAM confirmation Number	7562
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Petition to Withdraw from Issue	RDC0004PetitionWithdrawFinal.pdf	93936 4cb705499df1e29badb8f44970afc214e61767a8	no	9
Warnings:					
Information:					
2	Petition to Withdraw from Issue	RDC0004RCEFinal.pdf	307027 e288ae8efe886349d55d648087dea7987117cd89	no	3
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	33916 95a807feeaba1bf1f263076cda226f60c7f2080a	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			434879		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



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www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/035,423	12/13/2011	8078396	RDC.0004	9950
72291	7590	11/22/2011		
IDEATION LAW 2750 RIVERSIDE AVENUE JACKSONVILLE, FL 32205				

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 677 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

William D. Meadow, Jacksonville, FL;
Randall A. Gordie JR., St. Augustine, FL;
Matthew Pavelle, St. Augustine, FL;



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 Alexandria, Virginia 22313-1450
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Bib Data Sheet

CONFIRMATION NO. 9950

SERIAL NUMBER 12/035,423	FILING OR 371(c) DATE 02/21/2008 RULE	CLASS 701	GROUP ART UNIT 3661	ATTORNEY DOCKET NO. RDC.0004	
APPLICANTS William D. Meadow, Jacksonville, FL; Randall A. Gordie JR., St. Augustine, FL; Matthew Pavelle, St. Augustine, FL;					
** CONTINUING DATA *****					
** FOREIGN APPLICATIONS *****					
IF REQUIRED, FOREIGN FILING LICENSE GRANTED** SMALL ENTITY ** ** 03/17/2008					
Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged <u> </u> Examiner's Signature <u> </u> Initials		STATE OR COUNTRY FL	SHEETS DRAWING 7	TOTAL CLAIMS 25	INDEPENDENT CLAIMS 1
ADDRESS 72291					
TITLE METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA					
FILING FEE RECEIVED 625	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		



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IDEATION LAW
2750 RIVERSIDE AVENUE
JACKSONVILLE FL 32205

MAILED

NOV 08 2011

OFFICE OF PETITIONS

In re Application of
William D. MEADOW et al.
Application No. 12/035,423
Filed: February 26, 2007
Attorney Docket No. RDC.0004

DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed October 27, 2011, to revive the above-identified application.


The petition is **GRANTED**.

The application became abandoned for failure to submit formal drawings in a timely manner in reply to the Notice of Allowability, mailed July 13, 2011, which set a period for reply of three (3) months. Accordingly, this application became abandoned on October 14, 2011.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of corrected drawings; (2) the petition fee of \$930.00; and (3) a proper statement of unintentional delay. Accordingly, the reply to the Notice of Allowability of July 13, 2011 is accepted as being unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4231.

This application is being referred to Office of Data Management.


Michelle R. Eason
Paralegal Specialist
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/035,423	02/21/2008	William D. Meadow	RDC.0004	9950
7590 10/28/2011				
IDEATION LAW 2750 RIVERSIDE AVENUE JACKSONVILLE, FL 32205				
EXAMINER ARTHUR JEANGLAUDE, GERTRUDE				
ART UNIT		PAPER NUMBER		
3661				
NOTIFICATION DATE		DELIVERY MODE		
10/28/2011		ELECTRONIC		

Notice of Abandonment

This application is abandoned in view of:

1. ☐ The applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the period for reply (including a total extension of _____ month(s)) which expired on _____.
 - (b) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____.
The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☒ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☒ No corrected drawing have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ Drawings received on _____ were disapproved by examiner. See examiner's response dated _____.
7. ☐ Corrected drawings were received on _____, which is after the expiration of the one-month period for reply set in examiner's response dated _____.
8. ☐ No corrected drawings have been received in reply to one-month period set in examiner's response dated _____.
9. ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or request to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Almay Gajah

(571)-272-4200 or 1(888)-786-0101
Patent Publication Branch
Office of Data Management

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
RDC.0004First named inventor: william D. MeadowApplication No.: 12/035,423Art Unit: 3661Filed: 02/21/2008Examiner: ARTHUR JEANGLAUDE GERTTitle: METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

1. Petition Fee☒ Small entity-fee \$ 930.00 (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.☐ Other than small entity-fee \$ _____ (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of New Figure1A (identify type of reply):

☐ has been filed previously on _____.☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

☐ has been paid previously on _____.☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/J. P. Kincart/

Signature

October 27, 2011

Date

J. P. Kincart

43,716

Type or Printed name

Registration Number, If applicable

2750 Riverside Avenue

904-305-4809

Address

Telephone Number

Jacksonville, FL 32205

Address

Enclosures:

- ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other: New Fig 1A

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

10/27/2011

Date

/L. Shutterly/

Signature

L. Shutterly

Typed or printed name of person signing certificate

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

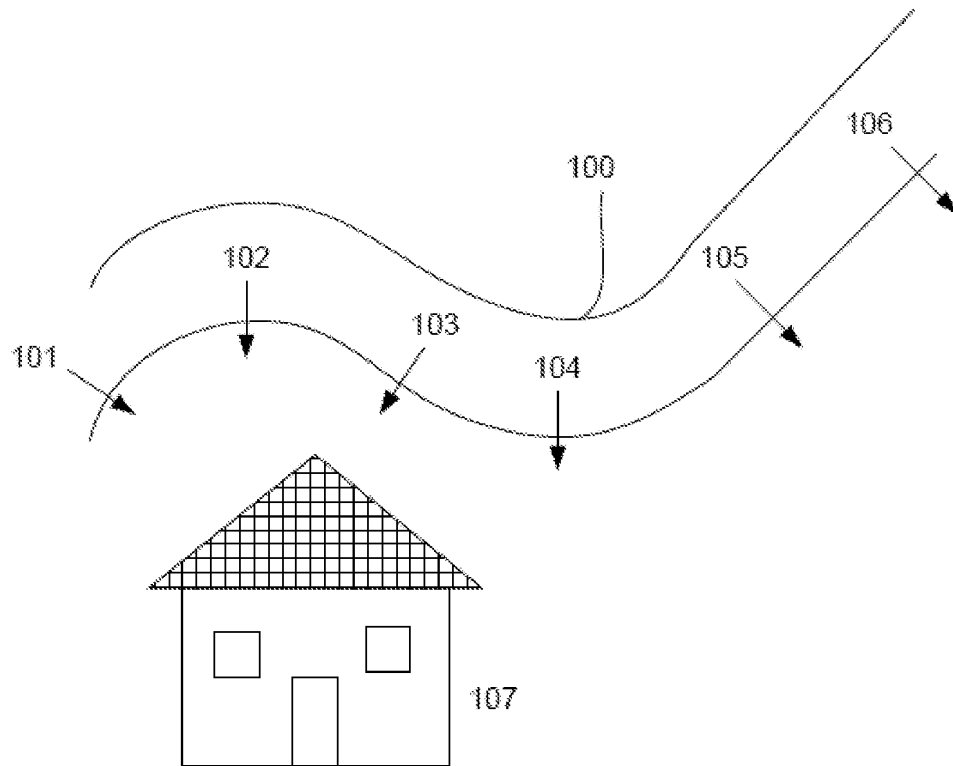


FIG. 1A

Electronic Patent Application Fee Transmittal				
Application Number:		12035423		
Filing Date:		21-Feb-2008		
Title of Invention:		METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA		
First Named Inventor/Applicant Name:		William D. Meadow		
Filer:		joseph P. Kincart/Linda Shutterly		
Attorney Docket Number:		RDC.0004		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Petition-revive unintent. abandoned appl	2453	1	930	930
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				930

Electronic Acknowledgement Receipt	
EFS ID:	11279434
Application Number:	12035423
International Application Number:	
Confirmation Number:	9950
Title of Invention:	METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA
First Named Inventor/Applicant Name:	William D. Meadow
Customer Number:	72291
Filer:	joseph P. Kincart/Linda Shutterly
Filer Authorized By:	joseph P. Kincart
Attorney Docket Number:	RDC.0004
Receipt Date:	27-OCT-2011
Filing Date:	21-FEB-2008
Time Stamp:	14:03:33
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 930
RAM confirmation Number	306
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Petition for review by the Office of Petitions.	RDC0004PettoRevUnint.pdf	206575 8c875acb1c591b0fb5b25fdd992c6273f676eba2	no	3
Warnings:					
Information:					
2	Drawings-only black and white line drawings	RDC0004NPFig1A.pdf	23954 d6a964ddc25e7cf231d8ed7d2b6353275fc011d2	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30434 a5260183f6be90daeb34b2380298f2410d312860	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			260963		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

72291 7590 07/13/2011
IDEATION LAW
2750 RIVERSIDE AVENUE
JACKSONVILLE, FL 32205

EXAMINER	
ARTHUR JEANGLAUDE, GERTRUDE	
ART UNIT	PAPER NUMBER
3661	

DATE MAILED: 07/13/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/035,423	02/21/2008	William D. Meadow	RDC.0004	9950

TITLE OF INVENTION: METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	10/13/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

72291 7590 07/13/2011
IDEATION LAW
2750 RIVERSIDE AVENUE
JACKSONVILLE, FL 32205

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Joseph P. Kincart (Depositor's name)
Joseph P. Kincart (Signature)
October 11, 2011 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/035,423	02/21/2008	William D. Meadow	RDC.0004	9950

TITLE OF INVENTION: METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	10/13/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
ARTHUR JEANGLAUDE, GERTRUDE	3661	701-207000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
Joseph P. Kincart
2
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.
☒ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☒ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Joseph P. Kincart
Typed or printed name Joseph P. Kincart

Date October 11, 2011
Registration No. 43,716

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Electronic Patent Application Fee Transmittal				
Application Number:		12035423		
Filing Date:		21-Feb-2008		
Title of Invention:		METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA		
First Named Inventor/Applicant Name:		William D. Meadow		
Filer:		joseph P. Kincart/Linda Shutterly		
Attorney Docket Number:		RDC.0004		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	870	870
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1170

Electronic Acknowledgement Receipt	
EFS ID:	11157369
Application Number:	12035423
International Application Number:	
Confirmation Number:	9950
Title of Invention:	METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA
First Named Inventor/Applicant Name:	William D. Meadow
Customer Number:	72291
Filer:	joseph P. Kincart/Linda Shutterly
Filer Authorized By:	joseph P. Kincart
Attorney Docket Number:	RDC.0004
Receipt Date:	11-OCT-2011
Filing Date:	21-FEB-2008
Time Stamp:	12:31:59
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1170
RAM confirmation Number	16052
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Issue Fee Payment (PTO-85B)	RDC0004NOAExecuted.pdf	2232494 5f16d89c45d6f8eb178c1306a0bd394854d599bf	no	2
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31819 f8e60c391c42e51930590bda74becd8e31c8aef3	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			2264313		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS
P.O.BOX 1450
ALEXANDRIA VA 22313-1451

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IDEATION LAW
2750 RIVERSIDE AVENUE
JACKSONVILLE, FL 32205



**Courtesy Reminder for
Application Serial No: 12/035,423**

Attorney Docket No: RDC.0004

Customer Number: 72291

Date of Electronic Notification: 07/13/2011

This is a courtesy reminder that new correspondence is available for this application. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:

IDEATIONLAW@BELLSOUTH.NET

linda@ideationlaw.com

Please verify that these email addresses are correct.

To view your correspondence online or update your email addresses, please visit us anytime at **<https://sportal.uspto.gov/secure/myportal/privatepair>**. If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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NOTICE OF ALLOWANCE AND FEE(S) DUE

72291 7590 07/13/2011
IDEATION LAW
2750 RIVERSIDE AVENUE
JACKSONVILLE, FL 32205

EXAMINER	
ARTHUR JEANGLAUDE, GERTRUDE	
ART UNIT	PAPER NUMBER
3661	

DATE MAILED: 07/13/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/035,423	02/21/2008	William D. Meadow	RDC.0004	9950

TITLE OF INVENTION: METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	10/13/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

72291 7590 07/13/2011
IDEATION LAW
2750 RIVERSIDE AVENUE
JACKSONVILLE, FL 32205

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

12/035,423	02/21/2008	William D. Meadow	RDC.0004	9950
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TITLE OF INVENTION: METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	10/13/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
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ARTHUR JEANGLAUDE, GERTRUDE	3661	701-207000
-----------------------------	------	------------

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/035,423	02/21/2008	William D. Meadow	RDC.0004	9950
72291	7590	07/13/2011	EXAMINER	
IDEATION LAW 2750 RIVERSIDE AVENUE JACKSONVILLE, FL 32205			ARTHUR JEANGLAUDE, GERTRUDE	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 07/13/2011

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 430 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 430 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No.	Applicant(s)	
	12/035,423	MEADOW ET AL.	
	Examiner	Art Unit	
	GERTRUDE ARTHUR JEANGLAUDE	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 5/18/11.

2. ☒ The allowed claim(s) is/are 1-25.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____.
--	---

/Gertrude Arthur-Jeanglaude/ Primary Examiner, Art Unit 3661	
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EXAMINER'S COMMENT

Drawings

A substitute drawing sheet must be submitted for Fig. 1 to read Fig. 1A in order to correspond to the brief description of the drawings.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The prior art fails to disclose a method for creating a continuum image data comprising generating a composite image of the subject from portions of two or more of the multiple two-dimensional image data sets, wherein the portions are aligned in a dimension consistent with the continuum; receiving data descriptive of a location of the plurality of features; tracking the position of at least one of the plurality of features in two or more of the two-dimensional images; generating a point cloud array for the at least one of the plurality of features; converting the point cloud array to a polygon based model; and associating a location for the polygon based model relative to the portions of the image data sets and based upon the location of the plurality of features. These limitations are neither taught nor obvious by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERTRUDE ARTHUR JEANGLAUDE whose telephone number is (571)272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gertrude Arthur-Jeanglaude/
Primary Examiner, Art Unit 3661

Application/Control Number: 12/035,423
Art Unit: 3661

Page 4

WEST Search History for Application 12035423

Creation Date: 2011062819:24

Interference Searches


Query	DB	Op.	Plur.	Thes.	Date
(creat \$ with continuum with image with data).clm.	PGPB	ADJ	YES	ASSIGNEE	06-28-2011
(multiple with dimensional with image with data with set \$).clm.	PGPB	ADJ	YES	ASSIGNEE	06-28-2011
(composite withh image with subject with portion \$).clm.	PGPB	ADJ	YES	ASSIGNEE	06-28-2011
(track \$ with position with plurality with feature \$).clm.	PGPB	ADJ	YES	ASSIGNEE	06-28-2011
((track \$ with position with plurality with feature \$).clm.) and ((multiple with dimensional with image with data with set \$).clm.)	PGPB	ADJ	YES	ASSIGNEE	06-28-2011

Prior Art Searches

Query	DB	Op.	Plur.	Thes.	Date
continuum near3 three near3 dimensional near3 image\$	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
geographic near3 area\$	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
photograph\$	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
movie near3 camera\$	PGPB, USPT,	ADJ	YES	ASSIGNEE	06-28-2011


	EPAB, JPAB, DWPI, TDBD				
digital near3 recorder\$	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
(digital near3 recorder\$) or (movie near3 camera\$) or (photograph\$)	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
(digital near3 recorder\$ or movie near3 camera\$ or photograph\$) and (geographic near3 area\$)	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
(digital near3 recorder\$ or movie near3 camera\$ or photograph\$ and geographic near3 area\$) and (continuum near3 three near3 dimensional near3 image\$)	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
6985638.pn.	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
("6985638")[URPN]	USPT	ADJ	YES	ASSIGNEE	06-28-2011
7593488.pn.	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
("6985638")[URPN]	USPT	ADJ	YES	ASSIGNEE	06-28-2011
("6985638")[PN]	USPT	ADJ	YES	ASSIGNEE	06-28-2011
	USPT	ADJ	YES	ASSIGNEE	06-28-2011

(5963664 6249616 6157747 5448654 5611000 5982951 5610658 5987164 6075905 6078701)! [PN]					
6157745	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
image near3 data	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
point near2 cloud near2 array	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
(point near2 cloud near2 array) and (image near3 data)	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
(point near2 cloud near2 array and image near3 data) and ((5963664 6249616 6157747 5448654 5611000 5982951 5610658 5987164 6075905 6078701)! [PN])	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011
(("6985638") [URPN]) and (point near2 cloud near2 array and image near3 data)	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	06-28-2011

<i>Index of Claims</i> 	Application/Control No. 12035423	Applicant(s)/Patent Under Reexamination MEADOW ET AL.
	Examiner GERTRUDE ARTHUR JEANGLAUD	Art Unit 3661

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected


<input checked="" type="checkbox"/> Claims renumbered in the same order as presented by applicant				<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
CLAIM		DATE							
Final	Original	09/16/2010	06/28/2011						
	1	✓	=						
	2	✓	=						
	3	✓	=						
	4	✓	=						
	5	✓	=						
	6	✓	=						
	7	✓	=						
	8	✓	=						
	9	✓	=						
	10	✓	=						
	11	✓	=						
	12	✓	=						
	13	✓	=						
	14	✓	=						
	15	✓	=						
	16	✓	=						
	17	✓	=						
	18	✓	=						
	19	✓	=						
	20	✓	=						
	21	✓	=						
	22	✓	=						
	23	✓	=						
	24	✓	=						
	25	✓	=						

Issue Classification 	Application/Control No. 12035423	Applicant(s)/Patent Under Reexamination MEADOW ET AL.
	Examiner GERTRUDE ARTHUR JEANGLAUDE	Art Unit 3661

ORIGINAL						INTERNATIONAL CLASSIFICATION												
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED							
701		207				G	0	1	C	21 / 00 (2006.01.01)								
CROSS REFERENCE(S)																		
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																	
701	208	211	300															
382	285	154																

<input checked="" type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
	1		17												
	2		18												
	3		19												
	4		20												
	5		21												
	6		22												
	7		23												
	8		24												
	9		25												
	10														
	11														
	12														
	13														
	14														
	15														
	16														

NONE		Total Claims Allowed:	
		25	
(Assistant Examiner)	(Date)		
/GERTRUDE ARTHUR JEANGLAUDE/ Primary Examiner.Art Unit 3661	6/28/11	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1A

Search Notes 	Application/Control No. 12035423	Applicant(s)/Patent Under Reexamination MEADOW ET AL.
	Examiner GERTRUDE ARTHUR JEANGLAUD	Art Unit 3661

SEARCHED			
Class	Subclass	Date	Examiner
701	207, 208, 211, 212	9/16/10	GAJ
345	619, 629,645	9/16/10	GAJ
382	284, 285,154, 162, 164	9/16/10	GAJ
348	E5.053	9/16/10	GAJ
updated	above search	6/28/11	GAJ

SEARCH NOTES		
Search Notes	Date	Examiner
WEST	9/16/10	GAJ
WEST Updated	6/28/11	GAJ

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
USPGPUB	Text search (See interference search printout)	6/28/11	GAJ

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Electronic Patent Application Fee Transmittal				
Application Number:		12035423		
Filing Date:		21-Feb-2008		
Title of Invention:		METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA		
First Named Inventor/Applicant Name:		William D. Meadow		
Filer:		joseph P. Kincart/Linda Shutterly		
Attorney Docket Number:		RDC.0004		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing: 05/19/2011 INTEFSW 00008230 12035423				
Petition: 01 FC:2253 555.00 0P				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	2253	1	555	555

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				555

DOCKET NO.: RDC.0004
Application No.: 12/035,423
OA Dated: 11/18/2010

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: William D. Meadow Confirmation No.: 9950
Filing Date: February 21, 2008 Art Unit: 3661
Application No.: 12/035,423 Examiner: Arthur Jeanglaude, Gertrude

Title: METHODS AND APPARATUS GENERATING A CONTINUUM OF THREE-DIMENSIONAL IMAGE DATA

Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR EXTENSION OF TIME AND
AUTHORIZATION TO CHARGE**

Dear Sir:

Applicant petitions the Commissioner of Patents and Trademarks to extend the time for response to the Office Action Summary dated November 18, 2010 for (3) three months from March 18, 2010 to May 18, 2011. A Response responding to the aforesaid Notice is being filed concurrently herewith.

Please charge Credit Card Authorization PTO Form 2038 in the amount of \$555.00 for fees associated with the filing of the attached Response and Extension of Time.

Respectfully submitted,

/J P Kincart/

Joseph P. Kincart
Reg. No. 43,716
Attorney for Applicant(s)

Joseph P. Kincart, Esq.
2750 Riverside Avenue
Jacksonville, FL 32205
904.305.4809 – tel.
Dated: May 18, 2011

Electronic Patent Application Fee Transmittal				
Application Number:		12035423		
Filing Date:		21-Feb-2008		
Title of Invention:		METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA		
First Named Inventor/Applicant Name:		William D. Meadow		
Filer:		joseph P. Kincart/Linda Shutterly		
Attorney Docket Number:		RDC.0004		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	2253	1	555	555

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				555

Electronic Acknowledgement Receipt	
EFS ID:	10123223
Application Number:	12035423
International Application Number:	
Confirmation Number:	9950
Title of Invention:	METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA
First Named Inventor/Applicant Name:	William D. Meadow
Customer Number:	72291
Filer:	joseph P. Kincart/Linda Shutterly
Filer Authorized By:	joseph P. Kincart
Attorney Docket Number:	RDC.0004
Receipt Date:	18-MAY-2011
Filing Date:	21-FEB-2008
Time Stamp:	21:11:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$555
RAM confirmation Number	8230
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Applicant Arguments/Remarks Made in an Amendment	RDC0004Resp05182011.pdf	34775 0ace40657a31fc3dd55ea3713d6554945defe7	no	7
Warnings:					
Information:					
2	Miscellaneous Incoming Letter	RDC0004EOT5182011.pdf	66629 62e450fa7bce2ebda3bcd7f84dc2fbd77b2b6bc	no	1
Warnings:					
Information:					
3	Extension of Time	RDC0004EOT5182011auth.pdf	16900 9334090eec85b5a51996cb6285ea249bd5c78131	no	1
Warnings:					
Information:					
4	Fee Worksheet (PTO-875)	fee-info.pdf	30274 5f31bd36ec90c9c06529d541a767a49940b5b962	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			148578		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

Docket No. RDC.0004
Application No.: 12/035,423
Office Action Date: November 18, 2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	12/035,423	Filing Date:	February 21, 2008
Inventors:	William D. Meadow	Art Unit:	3661
Confirmation No.:	9950	Examiner:	Arthur Jeanglaude, Gertrude

Title: METHODS AND APPARATUS GENERATING A CONTINUUM OF THREE-DIMENSIONAL IMAGE DATA

MAIL STOP AMENDMENT
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 35 U.S.C. 103(a)

Sir:

In response to the Office Action dated November 18, 2010, please amend the above identified application as follows:

Amendments to the Claims begin on page **2** of this paper.

Remarks begin on page **6** of this paper.

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Currently Amended). A method for creating a continuum of ~~three dimensional~~ image data, the method comprising:
 - a) receiving multiple two-dimensional image data sets of a subject, wherein each image data set is captured from a disparate point on a continuum and each image data set comprises a plurality of features;
 - b) generating a composite image of the subject from portions of two or more of the multiple two-dimensional image data sets, wherein the portions are aligned in a dimension consistent with the continuum;
 - c) receiving data descriptive of a location of the plurality of features;
 - d) tracking the position of at least one of the plurality of features in two or more of the two-dimensional images;
 - e) generating a point cloud array for the at least one of the plurality of features;
 - f) converting the point cloud array to a polygon based model; and
 - g) associating a location for the polygon based model relative to the portions of the image data sets and based upon the location of the plurality of features.
2. (Currently Amended). The method of claim 1 additionally comprising the step of spraying image data onto the polygon based model, wherein the polygon based model comprises at least one three dimensional polygon based model and wherein the image data sprayed onto the polygon based model is based upon two-dimensional image data sets and the location of the polygon based model.
3. (Original). The method of claim 1 comprising the step of associating the polygon based model with an icon.

4. (Original). The method of claim 3 wherein the icon is symbolic of at least one of: a fire hydrant; a utility location; and traffic signal device.
5. (Original). The method of claim 1 additionally comprising the steps of:
repeating steps a) through f) multiple times each from disparate points along the continuum; and
spraying image data onto the each polygon based model, wherein the image data sprayed onto the each polygon based model is based upon two-dimensional image data sets and the location of each respective polygon based model.
6. (Original). The method of claim 1 wherein the point cloud array in a polygon format is generated by steps comprising:
casting a ray through each pixel comprising a feature comprising the multiple two-dimensional image data sets, wherein the ray originates in a position based upon the disparate point on a continuum;
determining an intersection of each ray associated with the first two-dimensional image data set and each ray associated with the second two-dimensional image data set; and
creating a voxel for a three-dimensional point cloud array at each intersection.
7. (Original). The method of claim 2 wherein the image data sprayed onto the polygon based model comprises:
a composite image of the subject generated from aligned portions of two or more two-dimensional image data sets captured from the disparate points along the continuum and aligned in a dimension consistent with the continuum.
8. (Original). The method of claim 1 wherein the data descriptive of a location comprises a Cartesian coordinate.
9. (Original). The method of claim 8 wherein the data descriptive of a location of the plurality of features comprises a latitude and longitude coordinate.

10. (Original). The method of claim 1 additionally comprising the step of associating metadata with a polygon based model.
11. (Original). The method of claim 1, wherein the composite image comprises a single vertical slice of each of the two or more images.
12. (Original). The method of claim 11, additionally comprising the steps of:
recording positional data descriptive of a respective location of each of the multiple two-dimensional image data sets of a subject; and
associating the composite image with a particular portion of the subject based upon the positional data.
13. (Original). The method of claim 12 wherein the subject comprises a geographic area and the positional data comprises a geospatial designation.
14. (Original). The method of claim 13 wherein the method additionally comprises the steps of generating the positional data based upon latitude and longitude coordinates of a camera capturing the two or more images and data descriptive of the camera orientation while the camera captured the two or more images.
15. (Original). The method of claim 13 wherein the different points in a continuum comprise positions of a vehicle traveling on a roadway.
16. (Original). The method of claim 12 wherein the method additionally comprises the steps of overlaying metadata on the composite image descriptive of the composite image.
17. (Original). The method of claim 12 wherein the method additionally comprises the steps of overlaying links to additional data related to the composite image.

18. (Original). The method of claim 17 wherein the additional data is related to the composite image based upon the positional data.
19. (Original). The method of claim 13 wherein each of the two or more images are captured with a camera at a position about orthogonal to the subject matter.
20. (Original). The method of claim 19 wherein the camera is at an angle of between about 85° and about 95° relative to the subject matter.
21. (Original). The method of claim 19 additionally comprising an altimeter and wherein the method additionally comprises the steps of record data indicative of an altitude of the camera at the instance of image data set generation.
22. (Original). The method of claim 12 wherein the two or more images are captured with a camera oriented in a direction about orthogonal to a line between two points on the continuum.
23. (Original). The method of claim 22 wherein the camera is at an angle of between about 75° and about 105° relative to the line.
24. (Original). The method of claim 1 wherein the images are captured by a camera mounted to a vehicle traveling in proximity to a subject matter comprising a geographic parcel and a width of each vertical slice is based upon a speed of image capture of the camera and the velocity of the vehicle travel.
25. (Original). The method of claim 3 wherein the method additionally comprises the steps of combining the composite image with an aerial view image of the geographic area.

REMARKS

Claims 1-25 are pending in the application. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The drawings filed on February 21, 2008 are accepted. Claims 2-25 have been rejected for incorporating the deficiencies of their base claim, Claim 1.

Claim1 and Claim 2 have been amended.

I. Rejections under 35 U.S.C. 112

Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has indicated that it is not apparent how a continuum of three-dimensional image data is generated from two-dimensional image data sets of a subject.

The term “three-dimensional” has been stricken from the preamble to eliminate any non-indefiniteness of what is being claimed. Claim 1 therefore, now simply claims a method for method_for_creating a continuum of image data.

In addition, the Applicant's have amended Claim 2 to claim spraying image data onto a polygon based model, wherein the polygon based model comprises at least one three dimensional polygon. In this fashion, it is claimed that a polygon based model may be generated by conversion of a point cloud array to a polygon based model, and that the polygon based model may be three dimensional.

The Applicants respectfully submit that the amendments to Claims 1 and 2 therefore address the Examiner's concerns.

II. Conclusions

Applicants request the Examiner to:

- (1) enter the amendments to Claim 1 and Claim 2; and
- (2) pass claims 1-25 on to allowance.

Docket No. RDC.0004
Application No.: 12/035,423
Office Action Date: November 18, 2010

If the Examiner is of a contrary view, the Examiner is requested to contact the undersigned attorney at (904) 305-4809.

Date: May 18, 2011

Respectfully submitted,

/J P Kincart/

Joseph P. Kincart

Reg. Number 43,716

MAILING ADDRESS

Joseph P. Kincart, Esq.
2750 Riverside Avenue
Jacksonville, FL 32205
904.305.4809 – tel.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 12/035,423		Filing Date 02/21/2008		<input type="checkbox"/> To be Mailed	
APPLICATION AS FILED – PART I										
(Column 1)			(Column 2)			SMALL ENTITY <input checked="" type="checkbox"/> OR		OTHER THAN SMALL ENTITY		
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	OR	RATE (\$)	FEE (\$)			
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A				
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A				
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A				
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =		OR	X \$ =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =			X \$ =				
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.										
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT	05/18/2011	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 25	Minus	** 25	= 0	X \$26 =	0	OR	X \$ =	
	Independent (37 CFR 1.16(h))	* 1	Minus	*** 3	= 0	X \$110 =	0	OR	X \$ =	
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	
(Column 1)			(Column 2)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY		
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	X \$ =	
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

Legal Instrument Examiner:
/STELLA LITTLE/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Acknowledgement Receipt	
EFS ID:	10123223
Application Number:	12035423
International Application Number:	
Confirmation Number:	9950
Title of Invention:	METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA
First Named Inventor/Applicant Name:	William D. Meadow
Customer Number:	72291
Filer:	joseph P. Kincart/Linda Shutterly
Filer Authorized By:	joseph P. Kincart
Attorney Docket Number:	RDC.0004
Receipt Date:	18-MAY-2011
Filing Date:	21-FEB-2008
Time Stamp:	21:11:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 555
RAM confirmation Number	8230
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Applicant Arguments/Remarks Made in an Amendment	RDC0004Resp05182011.pdf	34775 0acc0657a31fc3dd55ea3713d6554945de7dfe7	no	7
Warnings:					
Information:					
2	Miscellaneous Incoming Letter	RDC0004EOT5182011.pdf	66629 62e450fa7bce2ebda3bcd1784dc2fbc477b2b6bc	no	1
Warnings:					
Information:					
3	Extension of Time	RDC0004EOT5182011auth.pdf	16900 9334090e0ec85b5e51996cb6285ea249bd5c78131	no	1
Warnings:					
Information:					
4	Fee Worksheet (PTO-875)	fee-info.pdf	30274 5f31bd36e690c9c06529d541a767a49940b5b962	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			148578		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



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APPLICATION NUMBER	PATENT NUMBER	GROUP ART UNIT	FILE WRAPPER LOCATION
12/035,423		3661	3661



Correspondence Address/Fee Address Change

The following fields have been set to Customer Number 72291 on 09/20/2010

- Correspondence Address
- Maintenance Fee Address
- Power of Attorney Address

The address of record for Customer Number 72291 is:

72291
IDEATION LAW
2750 RIVERSIDE AVENUE
JACKSONVILLE, FL 32205



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/035,423	02/21/2008	William D. Meadow	RDC.0004	9950
72291	7590	11/18/2010		
IDEATION LAW 2750 RIVERSIDE AVENUE JACKSONVILLE, FL 32205			EXAMINER ARTHUR JEANGLAUDE, GERTRUDE	
			ART UNIT 3661	PAPER NUMBER
			NOTIFICATION DATE 11/18/2010	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

IDEATIONLAW@BELLSOUTH.NET
linda@ideationlaw.com

Office Action Summary	Application No. 12/035,423	Applicant(s) MEADOW ET AL.	
	Examiner GERTRUDE ARTHUR JEANGLAUD	Art Unit 3661	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 21 February 2008.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-25 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-25 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 21 February 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____. 5) <input type="checkbox"/> Notice of Informal Patent Application 6) <input type="checkbox"/> Other: _____.
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DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is unclear how a continuum of three dimensional image data is created while receiving multiple two dimensional image data.

Claims 2-25 are also rejected for incorporating the deficiencies of their base claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aoki (U.S. Patent No. 6985638)

Freyhult (U.S. Patent No. 7573488)

Chiba (U.S. Patent No. 7317558)

Ejiri et al. (U.S. Patent No. 6798924)

Sandrew (U.S. Patent No. 7181081)

Hauck et al. (U.S. Patent No. 7139422)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERTRUDE ARTHUR JEANGLAUD whose telephone number is (571)272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gertrude Arthur-Jeanglaude/
Primary Examiner, Art Unit 3661

Notice of References Cited	Application/Control No. 12/035,423	Applicant(s)/Patent Under Reexamination MEADOW ET AL.	
	Examiner GERTRUDE ARTHUR	Art Unit 3661	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,985,638	01-2006	Aoki, Shin	382/284
*	B	US-7,573,488	08-2009	Freyhult, Peter	345/629
*	C	US-7,317,558	01-2008	Chiba, Naoki	358/450
*	D	US-6,798,924	09-2004	Ejiri et al.	382/284
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	I	US-			
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	K	US-			
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FOREIGN PATENT DOCUMENTS

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	P					
	Q					
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*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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CHANGE OF CORRESPONDENCE ADDRESS *Application*

Address to:
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P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	12/035,423
Filing Date	February 21, 2008
First Named Inventor	William D. Meadow
Art Unit	3661
Examiner Name	ARTHUR JEANGLAUDE, GERTRUDE
Attorney Docket Number	RDC.0004NP

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Applicant/Inventor



Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

Attorney or agent of record. Registration Number 43,716.

Registered practitioner named in the application transmittal letter in an application without an
executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____.

Signature

/Joseph P. Kincart/

Typed or Printed
Name

Joseph P. Kincart

Date November 17, 2010

Telephone

904-305-4809

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt	
EFS ID:	8857630
Application Number:	12035423
International Application Number:	
Confirmation Number:	9950
Title of Invention:	METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA
First Named Inventor/Applicant Name:	William D. Meadow
Customer Number:	72291
Filer:	joseph P. Kincart/Linda Shutterly
Filer Authorized By:	joseph P. Kincart
Attorney Docket Number:	RDC.0004
Receipt Date:	17-NOV-2010
Filing Date:	21-FEB-2008
Time Stamp:	15:22:43
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	RDC0004NPSB022.pdf	306603 c3e7a12583ef227a2f9a8d05d2a40d4a30492252	no	2

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/035,423	02/21/2008	William D. Meadow	RDC.0004	9950

72291 7590 09/22/2010
IDEATION LAW
8153 MIDDLE FORK WAY
JACKSONVILLE, FL 32256

EXAMINER

ARTHUR JEANGLAUDE, GERTRUDE

ART UNIT	PAPER NUMBER
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3661

MAIL DATE	DELIVERY MODE
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09/22/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 12/035,423	Applicant(s) MEADOW ET AL.	
	Examiner GERTRUDE ARTHUR JEANGLAUD	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2008.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is unclear how a continuum of three dimensional image data is created while receiving multiple two dimensional image data.

Claims 2-25 are also rejected for incorporating the deficiencies of their base claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aoki	(U.S. Patent No. 6985638)
Freyhult	(U.S. Patent No. 7573488)
Chiba	(U.S. Patent No. 7317558)
Ejiri et al.	(U.S. Patent No. 6798924)
Sandrew	(U.S. Patent No. 7181081)
Hauck et al.	(U.S. Patent No. 7139422)

Art Unit: 3661

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERTRUDE ARTHUR JEANGLAUD whose telephone number is (571)272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gertrude Arthur-Jeanglaude/
Primary Examiner, Art Unit 3661

Notice of References Cited	Application/Control No. 12/035,423	Applicant(s)/Patent Under Reexamination MEADOW ET AL.	
	Examiner GERTRUDE ARTHUR	Art Unit 3661	Page 1 of 1

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/035,423	02/21/2008	William D. Meadow	RDC.0004	9950
72291	7590	09/22/2010		
IDEATION LAW 8153 MIDDLE FORK WAY JACKSONVILLE, FL 32256			EXAMINER ARTHUR JEANGLAUDE, GERTRUDE	
			ART UNIT 3661	PAPER NUMBER
			MAIL DATE 09/22/2010	DELIVERY MODE PAPER

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/Gertrude Arthur-Jeanglaude/
Primary Examiner, Art Unit 3661

Notice of References Cited	Application/Control No. 12/035,423	Applicant(s)/Patent Under Reexamination MEADOW ET AL.	
	Examiner GERTRUDE ARTHUR	Art Unit 3661	Page 1 of 1

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<p align="center"><i>Index of Claims</i></p> 	Application/Control No. 12035423	Applicant(s)/Patent Under Reexamination MEADOW ET AL.
	Examiner GERTRUDE ARTHUR JEANGLAUD	Art Unit 3661

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant			<input type="checkbox"/> CPA			<input type="checkbox"/> T.D.			<input type="checkbox"/> R.1.47		
CLAIM		DATE									
Final	Original	09/16/2010									
	1	✓									
	2	✓									
	3	✓									
	4	✓									
	5	✓									
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	25	✓									

Search Notes 	Application/Control No. 12035423	Applicant(s)/Patent Under Reexamination MEADOW ET AL.
	Examiner GERTRUDE ARTHUR JEANGLAUD	Art Unit 3661

SEARCHED			
Class	Subclass	Date	Examiner
701	207, 208, 211, 212	9/16/10	GAJ
345	619, 629,645	9/16/10	GAJ
382	284, 285,154, 162, 164	9/16/10	GAJ
348	E5.053	9/16/10	GAJ

SEARCH NOTES		
Search Notes	Date	Examiner
WEST	9/16/10	GAJ

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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BIB DATA SHEET

CONFIRMATION NO. 9950

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.		
12/035,423	02/21/2008	358	3661	RDC.0004		
APPLICANTS William D. Meadow, Jacksonville, FL; Randall A. Gordie JR., St. Augustine, FL; Matthew Pavelle, St. Augustine, FL; ** CONTINUING DATA ***** This application is a CIP of 11/216,465 08/31/2005 PAT 7,389,181 which claims benefit of 60/605,498 08/31/2004 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY ** 03/17/2008						
Foreign Priority claimed 35 USC 119(a-d) conditions met Verified and Acknowledged	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No /GERTRUDE ARTHUR JEANGLAUDE/ Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials	STATE OR COUNTRY FL	SHEETS DRAWINGS 7	TOTAL CLAIMS 25	INDEPENDENT CLAIMS 1
ADDRESS IDEATION LAW 8153 MIDDLE FORK WAY JACKSONVILLE, FL 32256 UNITED STATES						
TITLE METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA						
FILING FEE RECEIVED 625	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:			<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

WEST Search History for Application 12035423

Creation Date: 2010091608:59

Prior Art Searches

Query	DB	Op.	Plur.	Thes.	Date
continuum near3 three near3 dimensional near3 image\$	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
geographic near3 area\$	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
photograph\$	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
movie near3 camera\$	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
digital near3 recorder\$	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
(digital near3 recorder\$) or (movie near3 camera\$) or (photograph\$)	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
		ADJ	YES	ASSIGNEE	09-16-2010

(digital near3 recorder\$ or movie near3 camera\$ or photograph\$) and (geographic near3 area\$)	PGPB, USPT, EPAB, JPAB, DWPI, TDBD				
(digital near3 recorder\$ or movie near3 camera\$ or photograph\$ and geographic near3 area\$) and (continuum near3 three near3 dimensional near3 image\$)	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
6985638.pn.	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
7593488.pn.	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
6157745	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
image near3 data	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
point near2 cloud near2 array	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
(point near2 cloud near2 array) and (image near3 data)	PGPB, USPT, EPAB, JPAB,	ADJ	YES	ASSIGNEE	09-16-2010

	DWPI, TDBD				
(point near2 cloud near2 array and image near3 data) and ((5963664 6249616 6157747 5448654 5611000 5982951 5610658 5987164 6075905 6078701)! [PN])	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010
(("6985638") [URPN]) and (point near2 cloud near2 array and image near3 data)	PGPB, USPT, EPAB, JPAB, DWPI, TDBD	ADJ	YES	ASSIGNEE	09-16-2010



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APPLICATION NUMBER	PATENT NUMBER	GROUP ART UNIT	FILE WRAPPER LOCATION
12/035,423		3661	3661



Correspondence Address/Fee Address Change

The following fields have been set to Customer Number 72291 on 09/02/2009

- Correspondence Address
- Maintenance Fee Address
- Power of Attorney Address

The address of record for Customer Number 72291 is:

72291
IDEATION LAW
8153 MIDDLE FORK WAY
JACKSONVILLE, FL 32256

PART 1 - ATTORNEY/APPLICANT COPY

page 1 of 1



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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/035,423	02/21/2008	William D. Meadow	RDC.0004

CONFIRMATION NO. 9950

Joseph P. Kincart
8153 Middle Fork Way
Jacksonville, FL 32256

Title: METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA

Publication No. US-2008-0152216-A1

Publication Date: 06/26/2008

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Pre-Grant Publication Division, 703-605-4283



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/035,423	02/21/2008	2625	625	RDC.0004	25	1

CONFIRMATION NO. 9950

Joseph P. Kincart
8153 Middle Fork Way
Jacksonville, FL 32256

FILING RECEIPT



OC000000028895467

Date Mailed: 03/19/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

William D. Meadow, Jacksonville, FL;
Randall A. Gordie JR., St. Augustine, FL;
Matthew Pavelle, St. Augustine, FL;

Assignment For Published Patent Application

Visre, Inc.

Power of Attorney:

Joseph Kincart--43716

Domestic Priority data as claimed by applicant

This application is a CIP of 11/216,465 08/31/2005
which claims benefit of 60/605,498 08/31/2004

Foreign Applications

If Required, Foreign Filing License Granted: 03/17/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/035,423**

Projected Publication Date: 06/26/2008

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE
DIMENSIONAL IMAGE DATA

Preliminary Class

358

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Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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Docket No. RDC.0004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**PATENT APPLICATION TRANSMITTAL****MAIL STOP PATENT APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is a utility patent application

Of: William D. Meadow, Randall A. Gordie Jr., and Matthew Pavelle

For: Methods AND APPARATUS GENERATING A CONTINUUM OF THREE-DIMENSIONAL
IMAGE DATA.

ENCLOSED are the following:

1. ☒ Specification (16 pages), abstract (1 page/s), claims (5 pages) and coversheet (1 page/s) 23 pages
2. ☒ 7 sheets of formal drawings (Figs. 1-3, 4A-4B, 5A-5B, 6-8)
Suggested Figure for Publication: 1
3. ☒ Declaration
☒ signed ☐ unsigned
☐ Copy from a prior application (for continuation/divisional)
4. ☐ Application Data Sheet
5. ☐ Preliminary Amendment
6. ☐ Information Disclosure Statement and PTO-1449
7. ☒ Assignment and Assignment Recordation sheet (*Fee calculated separately*)
8. ☒ The prior application is assigned to: Visre, Inc.
☐ A copy of the assignment from the prior application is enclosed.
9. ☒ Non-Publication Request
10. ☐ Other:

NOTE the following:

11. ☐ This application is made under 37 C.F.R. § 1.53 (b) and is a
☐ Continuation ☒ Continuation-In-Part ☐ Divisional
of Prior Application No. 11/216,465 filed August 31, 2005
12. ☐ An Extension of time is filed concurrently herewith for the parent application.
13. Small Entity Status:
☒ Applicant is a small entity
14. ☒ Applicants claim priority from the following application(s) under 35 U.S.C. § 119:

<u>Serial Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Certified Copy</u> <u>Encl.</u>
60/902,785	U.S.	02/22/2007	N

15. ☒ Applicants claim priority from the following application(s) under 35 U.S.C. § 120:

<u>Serial Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Certified Copy</u> <u>Encl.</u>
11/216,465	U.S.	08/31/05	N
11/702,707	U.S.	02/06/07	N
11/102,708	U.S.	02/06/07	N

FILING FEE: calculated below (after accounting for any preliminary amendment or claims cancellations if noted above):

Basic Filing Fee			\$310.00
Total No. Claims	Extra Claims(Total-) 5	Fee / claim \$50.00	\$250.00
Search Fee			\$510.00
Examination Fee			\$210.00
Sub-Total			\$1280.00
Small Entity? less 50%			-\$640.00
Assignment Fee			\$40.00
TOTAL FEE DUE			\$680.00

16. ☒ Payment by credit card. Form PTO-2038 is attached.
A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: February 21, 2008

/ Joseph P Kincart /

Joseph P. Kincart
Reg. No. 43,716

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904 996-7590 - telephone

Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA		
First Named Inventor/Applicant Name:		William D. Meadow		
Filer:		Joseph Kincart		
Attorney Docket Number:		RDC.0004		
Filed as Small Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	75	75
Utility Search Fee	2111	1	255	255
Utility Examination Fee	2311	1	105	105
Pages:				
Claims:				
Claims in excess of 20	2202	5	25	125
Miscellaneous-Filing:				
Late filing fee for oath or declaration	2051	1	65	65

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				625

Electronic Acknowledgement Receipt	
EFS ID:	2895292
Application Number:	12035423
International Application Number:	
Confirmation Number:	9950
Title of Invention:	METHODS FOR AND APPARATUS FOR GENERATING A CONTINUUM OF THREE DIMENSIONAL IMAGE DATA
First Named Inventor/Applicant Name:	William D. Meadow
Correspondence Address:	Joseph P Kincart Ideation Law 8153 Middle Fork Way - Jacksonville FL 32256 US 904.996.7590 jkincart@bellsouth.net
Filer:	Joseph Kincart
Filer Authorized By:	
Attorney Docket Number:	RDC.0004
Receipt Date:	21-FEB-2008
Filing Date:	
Time Stamp:	22:32:09
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 625

RAM confirmation Number		4310			
Deposit Account					
Authorized User					
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Abstract	RDC4Abstract.pdf	10176	no	1
			5d7ace95b8fabf38012607d23a78f3cf2eb052cb		
Warnings:					
Information:					
2	Claims	RDC4Claims.pdf	17831	no	5
			a42d88b0691915b98081a129692f3617fa577477		
Warnings:					
Information:					
3	Oath or Declaration filed	RDC4Declaration.pdf	232651	no	2
			5bdf229e10566f617ce79161ff422a1e373e59ed		
Warnings:					
Information:					
4	Drawings-only black and white line drawings	RDC4Figs.pdf	468563	no	7
			0f412d39d5f41aa53866053c72bc41f6d2d9266d		
Warnings:					
Information:					
5	Specification	RDC4Specification.pdf	63143	no	17
			8b2990e41096c791170194d3f772f941556bec9c		
Warnings:					
Information:					
6	Transmittal of New Application	TXSheetRDC4.pdf	32342	no	2
			b1f21e2eb5c73e5f8bfac5707ac99a57365b81f		
Warnings:					
Information:					
7	Fee Worksheet (PTO-06)	fee-info.pdf	8608	no	2
			3f1f4383da4f9e2f678e8623d73b4d77cd0684f5c		
Warnings:					
Information:					
Total Files Size (in bytes):			833314		

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

ABSTRACT OF THE DISCLOSURE

5 The present invention provides methods and apparatus for generating a continuum
of image data sprayed over three-dimensional models. The three-dimensional models can
be representative of features captured by the image data and based upon multiple image
data sets capturing the features. The image data can be captured at multiple disparate
points along another continuum.

CLAIMS

1. A method creating a continuum of three-dimensional image data, the method comprising:
 - 5 a) receiving multiple two-dimensional image data sets of a subject, wherein each image data set is captured from a disparate point on a continuum and each image data set comprises a plurality of features;
 - b) generating a composite image of the subject from portions of two or more of the multiple two-dimensional image data sets, wherein the portions are
10 aligned in a dimension consistent with the continuum;
 - c) receiving data descriptive of a location of the plurality of features;
 - d) tracking the position of at least one of the plurality of features in two or more of the two-dimensional images;
 - e) generating a point cloud array for the at least one of the plurality of
15 features;
 - f) converting the point cloud array to a polygon based model; and
 - g) associating a location for the polygon based model relative to the portions of the image data sets and based upon the location of the plurality of features.
20
2. The method of claim 1 additionally comprising the step of spraying image data onto the polygon based model, wherein the image data sprayed onto the polygon based model is based upon two-dimensional image data sets and the location of
25 the polygon based model.
3. The method of claim 1 comprising the step of associating the polygon based model with an icon.

4. The method of claim 3 wherein the icon is symbolic of at least one of: a fire hydrant; a utility location; and traffic signal device.
- 5
5. The method of claim 1 additionally comprising the steps of:
repeating steps a) through f) multiple times each from disparate points along the continuum; and
- 10 spraying image data onto the each polygon based model, wherein the image data sprayed onto the each polygon based model is based upon two-dimensional image data sets and the location of each respective polygon based model.
- 15 6. The method of claim 1 wherein the point cloud array in a polygon format is generated by steps comprising:
casting a ray through each pixel comprising a feature comprising the multiple two-dimensional image data sets, wherein the ray originates in a position based upon the disparate point on a continuum;
- 20 determining an intersection of each ray associated with the first two-dimensional image data set and each ray associated with the second two-dimensional image data set; and
creating a voxel for a three-dimensional point cloud array at each intersection.
- 25
7. The method of claim 2 wherein the image data sprayed onto the polygon based model comprises:
a composite image of the subject generated from aligned portions of two or more two-dimensional image data sets captured from the disparate points along
- 30 the continuum and aligned in a dimension consistent with the continuum.

8. The method of claim 1 wherein the data descriptive of a location comprises a Cartesian coordinate.
- 5
9. The method of claim 8 wherein the data descriptive of a location of the plurality of features comprises a latitude and longitude coordinate.
- 10 10. The method of claim 1 additionally comprising the step of associating metadata with a polygon based model.
11. The method of claim 1, wherein the composite image comprises a single vertical slice of each of the two or more images.
- 15
12. The method of claim 11, additionally comprising the steps of:
recording positional data descriptive of a respective location of each of the multiple two-dimensional image data sets of a subject; and
20 associating the composite image with a particular portion of the subject based upon the positional data.
13. The method of claim 12 wherein the subject comprises a geographic area and the positional data comprises a geospatial designation.
- 25
14. The method of claim 13 wherein the method additionally comprises the steps of generating the positional data based upon latitude and longitude coordinates of a camera capturing the two or more images and data descriptive of the camera
30 orientation while the camera captured the two or more images.

15. The method of claim 13 wherein the different points in a continuum comprise positions of a vehicle traveling on a roadway.

5

16. The method of claim 12 wherein the method additionally comprises the steps of overlaying metadata on the composite image descriptive of the composite image.

10 17. The method of claim 12 wherein the method additionally comprises the steps of overlaying links to additional data related to the composite image.

15 18. The method of claim 17 wherein the additional data is related to the composite image based upon the positional data.

19. The method of claim 13 wherein each of the two or more images are captured with a camera at a position about orthogonal to the subject matter.

20

20. The method of claim 19 wherein the camera is at an angle of between about 85° and about 95° relative to the subject matter.

25

21. The method of claim 19 additionally comprising an altimeter and wherein the method additionally comprises the steps of record data indicative of an altitude of the camera at the instance of image data set generation.

30

22. The method of claim 12 wherein the two or more images are captured with a camera oriented in a direction about orthogonal to a line between two points on the continuum.

5

23. The method of claim 22 wherein the camera is at an angle of between about 75° and about 105° relative to the line.

10 24. The method of claim 1 wherein the images are captured by a camera mounted to a vehicle traveling in proximity to a subject matter comprising a geographic parcel and a width of each vertical slice is based upon a speed of image capture of the camera and the velocity of the vehicle travel.

15

25. The method of claim 3 wherein the method additionally comprises the steps of combining the composite image with an aerial view image of the geographic area.

DECLARATION AND POWER OF ATTORNEY

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS GENERATING A CONTINUUM OF THREE-DIMENSIONAL IMAGE DATA

The specification of which was filed on February 22, 2007 as Application No. 60/902,785

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose all information we know to be material to patentability in accordance with Title 37, Code of Federal Regulation, § 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s) or any PCT international application(s) having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>Serial Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed</u> <u>(Y/N)</u>
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We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<u>Serial Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed</u> <u>(Y/N)</u>
60/902,785	U.S.	02/22/2007	Y

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Serial Number</u>	<u>Filing Date</u>	<u>Status</u>
11/216,465	08/31/2005	Pending

Docket No.: RDC.0004

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And we hereby appoint Joseph P. Kincart, Reg. No, 43,716, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

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Wherefore we request that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and we hereby subscribe my name to the foregoing

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Inventor's signature	<i>Matthew Pavelle</i>	Date	2008.02.21
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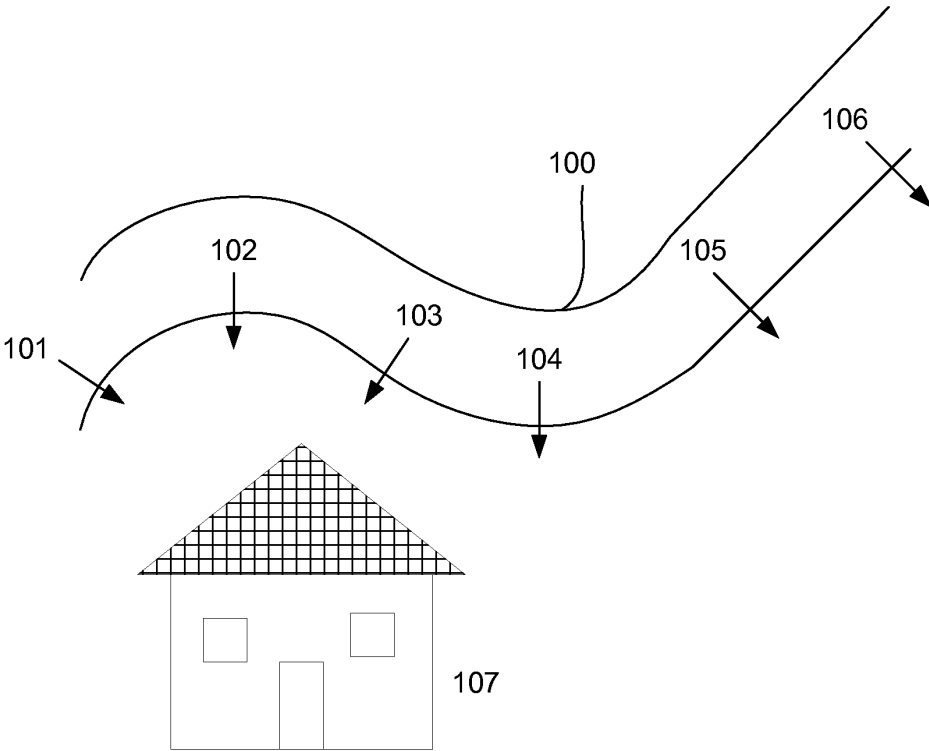


FIG. 1

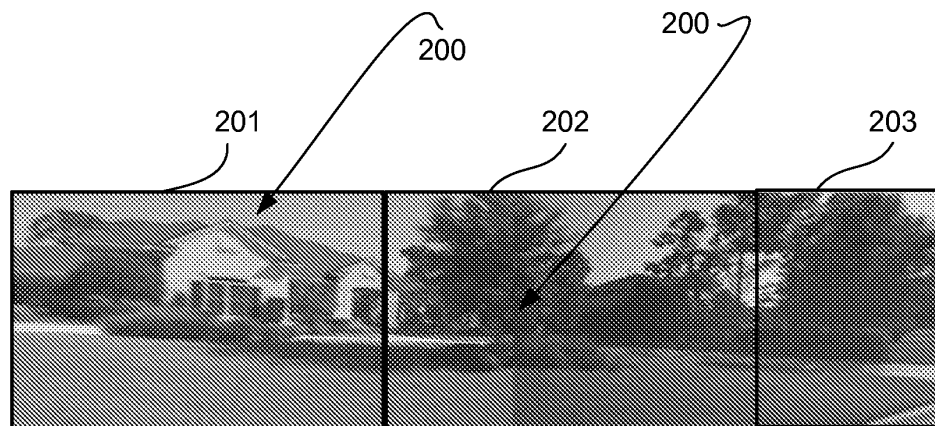


FIG. 2

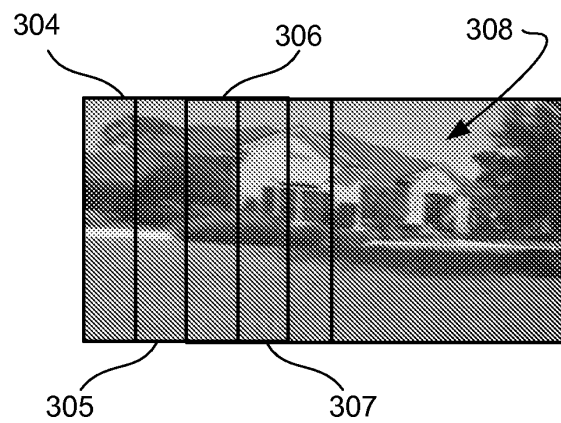
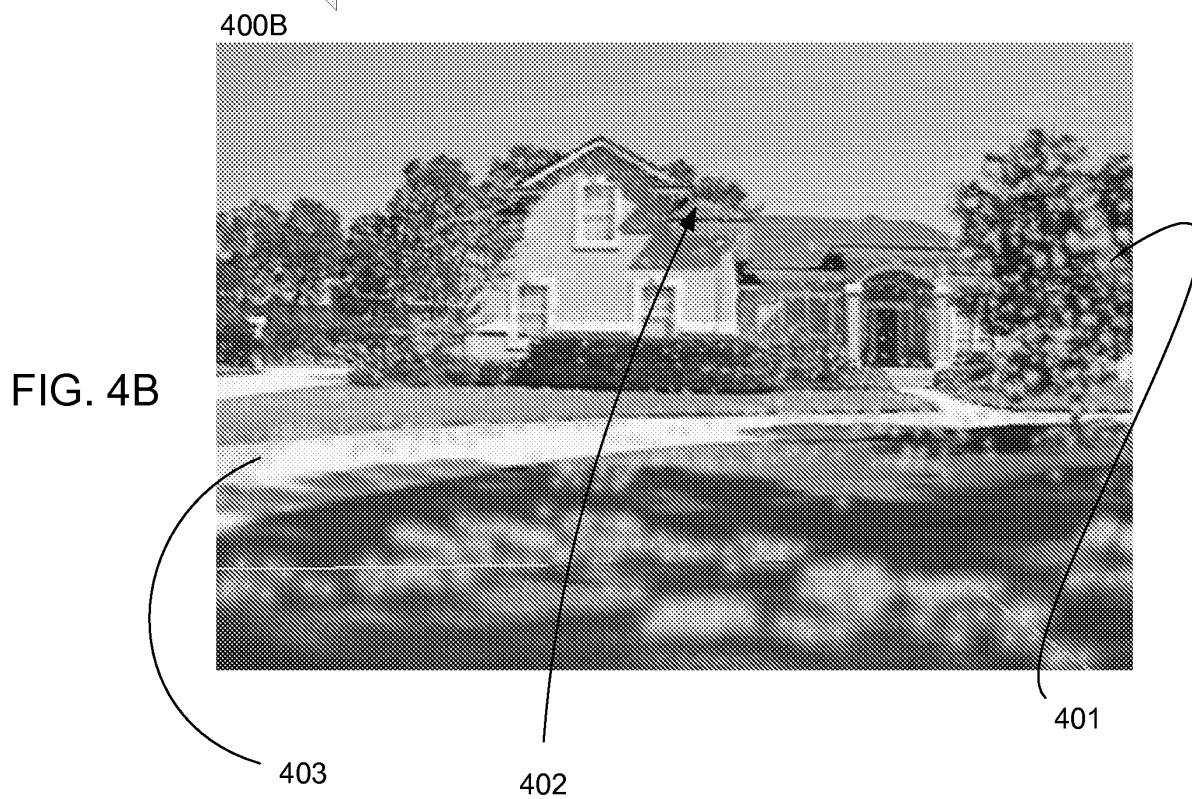
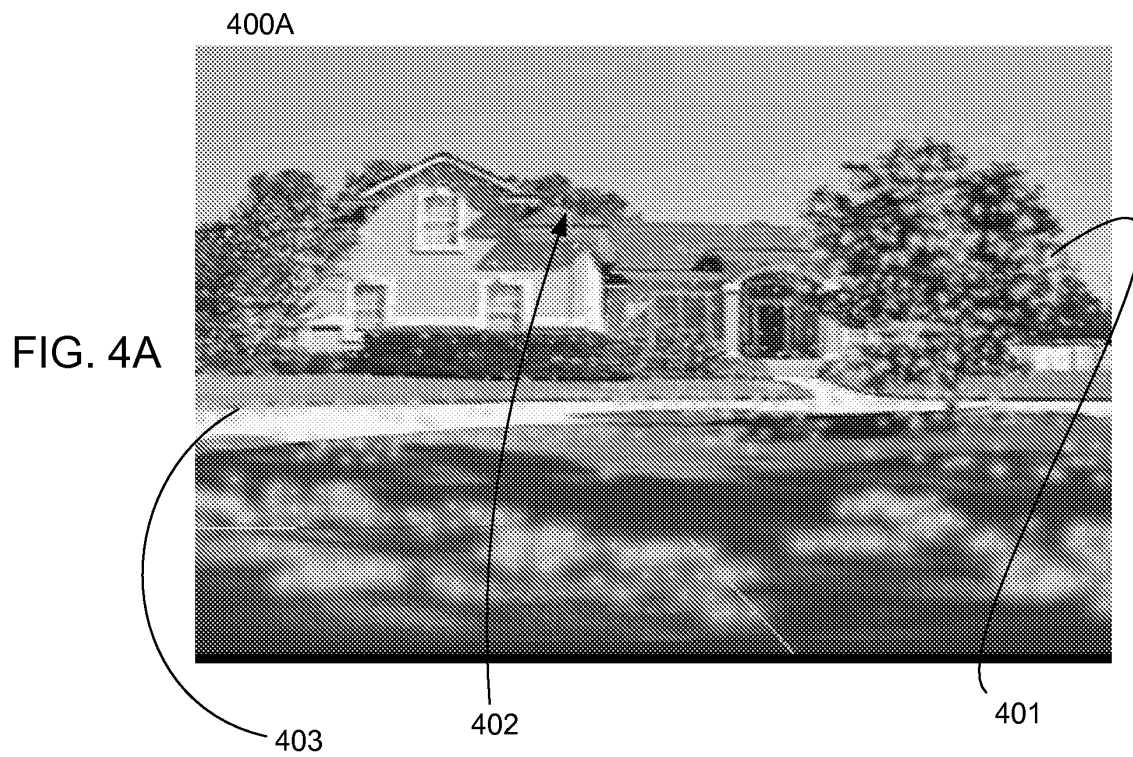
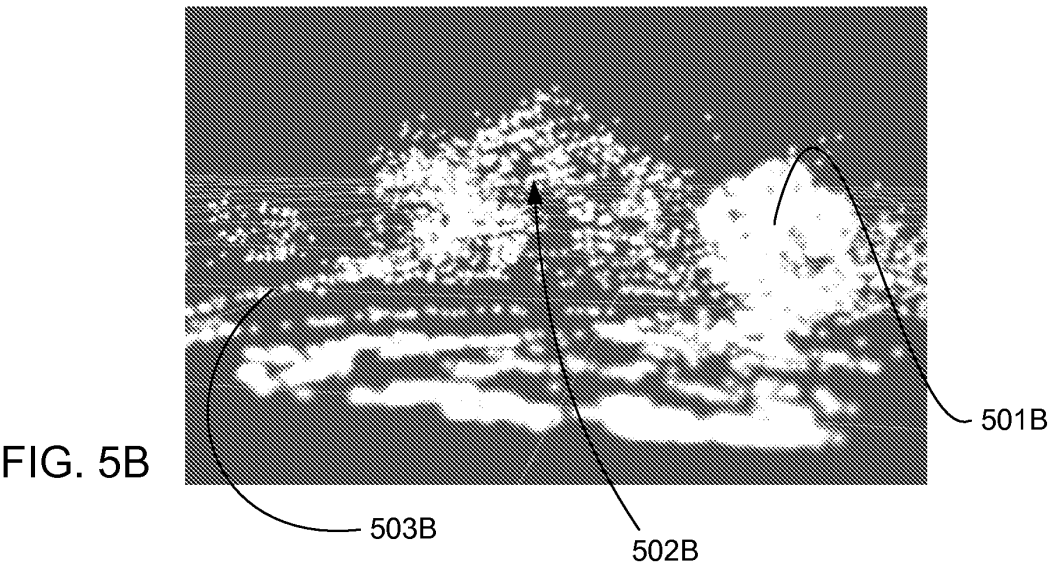
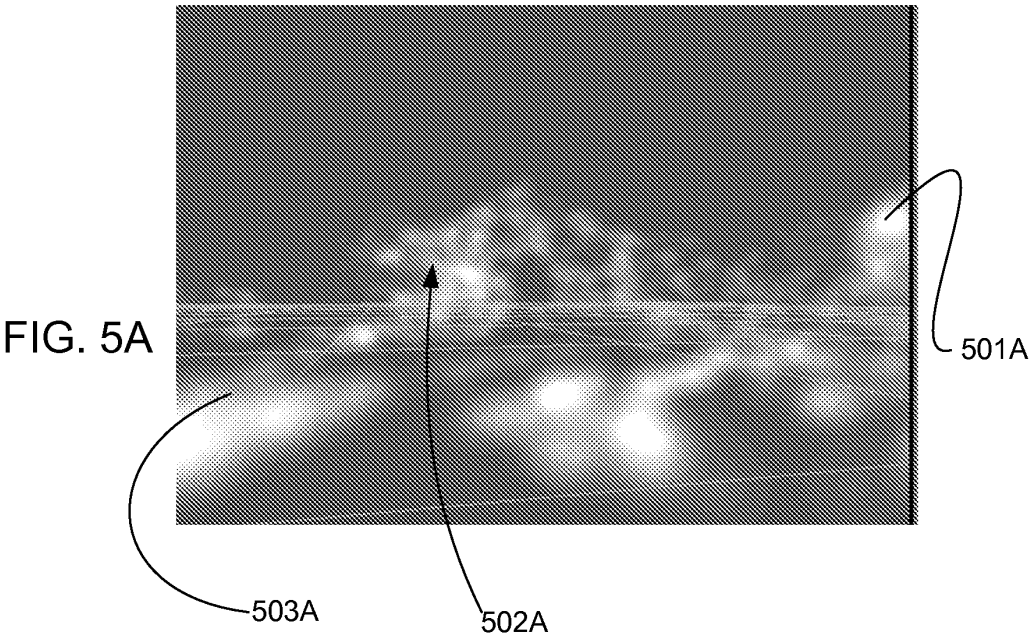


FIG. 3





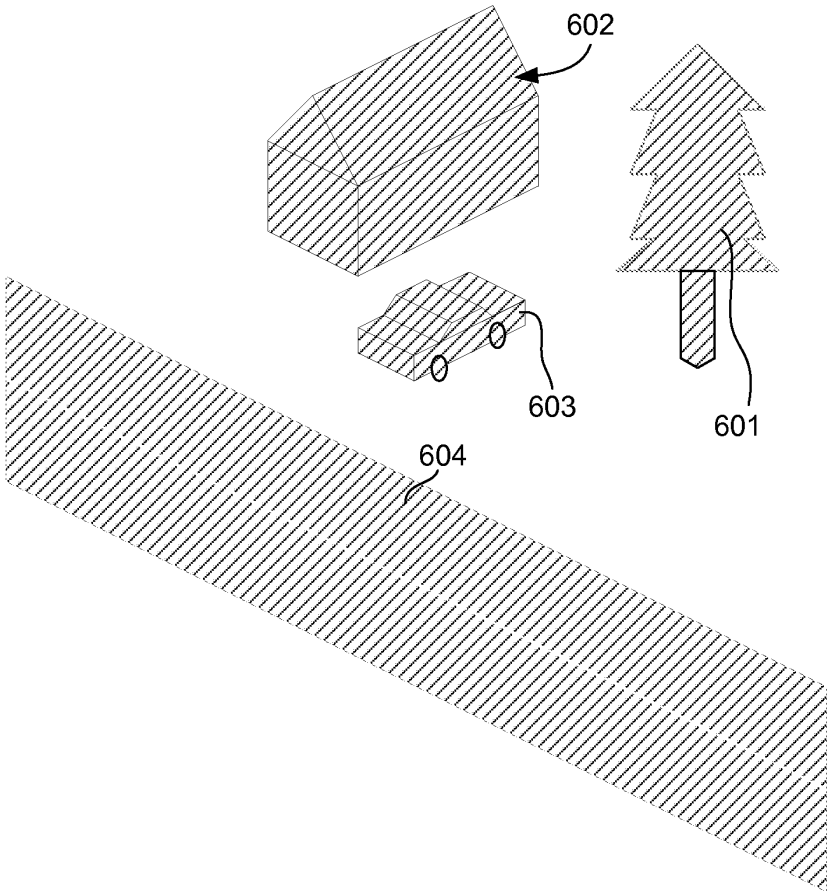


FIG. 6

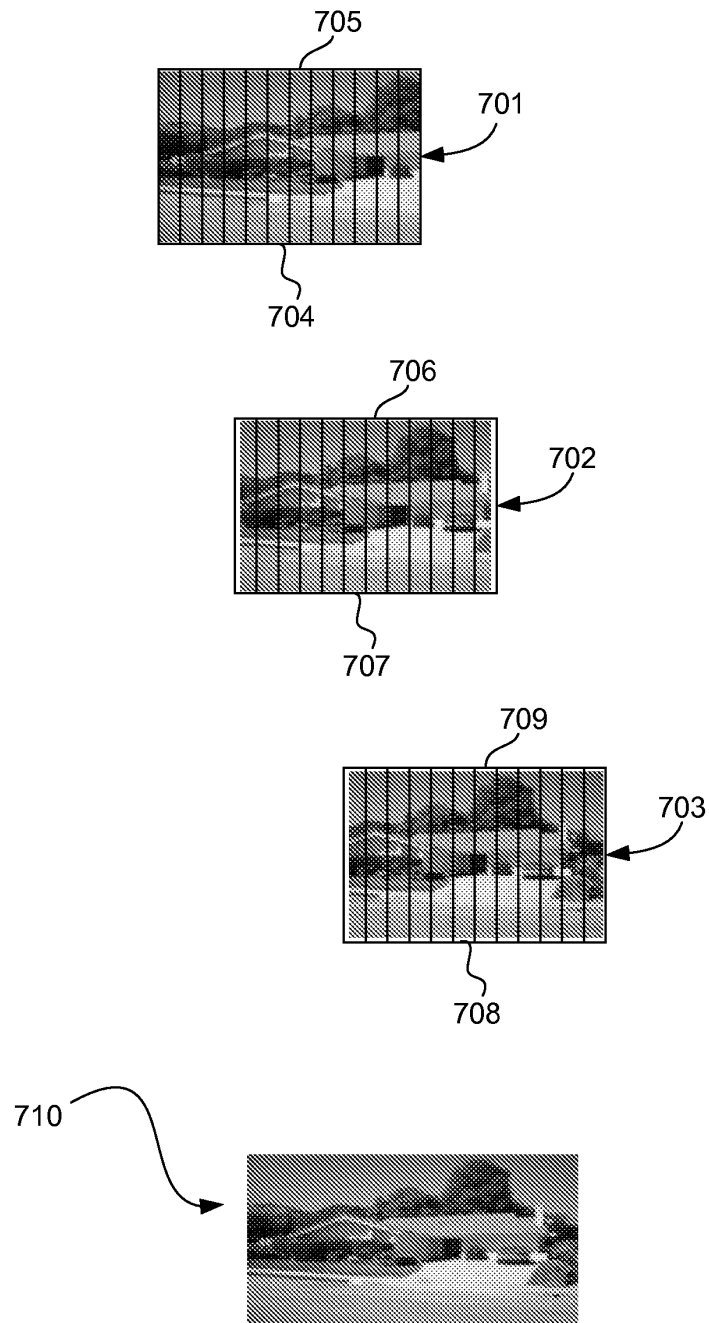


FIG. 7

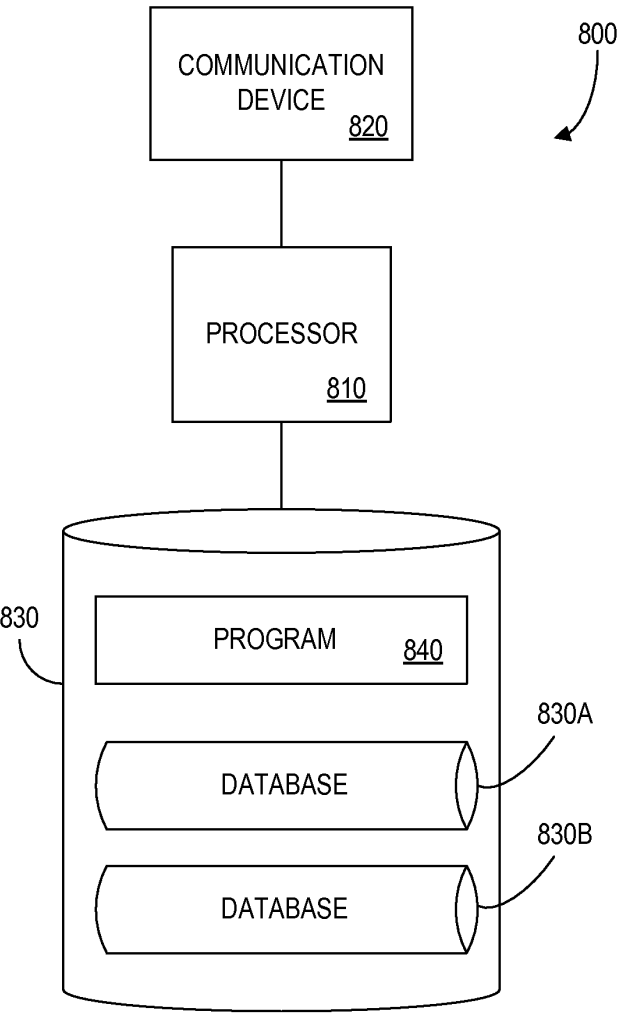


FIG. 8

**APPLICATION FOR
UNITED STATES PATENT
IN THE NAME OF**

William Meadow, et al

For

**METHODS AND APPARATUS FOR GENERATING
A CONTINUUM OF THREE-DIMENSIONAL
IMAGE DATA**

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**METHODS FOR AND APPARATUS FOR
GENERATING A CONTINUUM OF THREE-DIMENSIONAL IMAGE DATA**

5 CROSS REFERENCE TO RELATED APPLICATIONS

The present application claims priority to pending patent application S/N 11/216,465, filed, Aug 31, 2005 and entitled, "Apparatus and Method for Producing Video Drive-By Data Corresponding to a Geographic Location,"; and also pending application 11/ 702,708 filed February 6, 2007 and entitled Methods and Apparatus for
10 Generating a Continuum of Image Data; and also pending application 11/ 702,707 filed February 6, 2007 and entitled Methods and Apparatus for Presenting a Continuum of Image Data; the contents of which are each relied upon and incorporated by reference

FIELD OF THE INVENTION

15 The present invention relates to methods and apparatus of generating image data. More specifically, the present invention relates to generating data descriptive of a continuum of three-dimensional images, such as those comprising a geographic landscape.

20 BACKGROUND OF THE INVENTION

Images of geographic areas created on a local basis have been created in numerous formats. Photographs, movie cameras, video camera recorders, and more recently digital recorders have all been utilized to capture moving images of a geographic parcel. Photographs can be useful because they are easily associated with a particular
25 real estate parcel, however they are limited in the scope of the subject matter that they can include. In addition, photographs must be manually acquired and docketed in order to be associated with a property and subsequently retrieved. Panoramas can increase the scope of the subject matter to a point, but are limited by a point of capture of the panoramic views.

Movie pictures, video recorders and digital recorders and other “motion pictures” provide for increased scope of image capture. However, it is sometimes difficult to locate and view a particular portion of interest of images captured as motion pictures. In addition, correlation of particular portions of a motion picture with a particular real estate parcel can be difficult if the motion picture includes more than one real estate parcel. For example, it is relatively difficult to locate and view a particular real estate parcel in the context of its neighborhood setting, or particular aspects of its setting. Aerial images, such as satellite pictures of geographic areas have also been captured and specific parcels of land or landmarks can be located on the aerial images.

In addition, methods and apparatus have been known for generating point clouds and generating representations of particular objects from processing of the point clouds.

However, prior to the present invention, there has not been a mechanism for generating a continuum of object representations based upon point cloud data.

SUMMARY OF THE INVENTION

Accordingly, the present invention provides methods and apparatus for generating a continuum of three-dimensional image data. In some embodiments, the continuum of three-dimensional image data provides a street level representation of geographic locations. Two or more sets of image data are captured of a subject area, wherein each of the two or more images are captured from disparate points on a continuum.

BRIEF DESCRIPTION OF THE DRAWINGS

As presented herein, various embodiments of the present invention will be described, followed by some specific examples of various components that can be utilized to implement the embodiments. The following drawings facilitate the description of some embodiments:

Fig. 1A illustrates a continuum from which image data sets capture a subject.

Fig. 2 illustrates multiple images captured from disparate points along a continuum.

Fig. 3 illustrates multiple image data sets that overlap subject matter.

Fig. 4A illustrates an initial image data set with feature points indicated as voxels.

5 Fig. 4B illustrates an additional image data set with similar feature points indicated as voxels.

Fig. 5A illustrates an initial point cloud over a three-dimensional grid.

Fig. 5B illustrates an additional point cloud over a three-dimensional grid.

Fig. 6 illustrates polygon based models representing subject matter.

10 **DETAILED DESCRIPTION OF PREFERRED EMBODIMENTS**

The present invention provides methods and apparatus for capturing image data from multiple disparate points along a continuum and generating three-dimensional representations of a subject matter captured in the image data. In some embodiments, the three-dimensional representations can be assembled with the image data into a composite
15 image. The composite image can include its own continuum of two dimensional image data sprayed over three-dimensional polygon based models.

In general, point clouds are generated utilizing the location of feature points present in multiple image sets in combination with the position and orientation of a camera capturing the image data set. The point clouds can in turn be processed to
20 generate three-dimensional polygon based models representative of objects present in the subject matter of the image data set. The positional data can include, or be derived, from Cartesian coordinates, such as latitude and longitude coordinates indicating the position of a camera used to capture the image data, as well as an orientation of the camera. The continuum of image data, combined with the positional data associated with particular
25 portions of the image data is used to create a new continuum of image data sprayed over the three-dimensional polygon based models.

The three-dimensional polygon based models can be the basis for a user interface with three-dimensional representations of objects captured by the image data sets. A user location within the model will determine which portions of the three-dimensional model are viewed. Some embodiments can include user interactive devices which allow a user to traverse the three-dimensional model in three directions: a) an essentially up and down vertical movement; b) an essentially side to side horizontal movement; and c) a depth movement into and out of the three-dimensional model. Image data and three-dimensional polygon based models presented to a user at a given instance can be dependent upon the relative position selected by the user within the user interface.

10 Definitions

As used herein, Video DriveBy™ refers to street level video data captured in multiple angles encompassing a 360° view.

As used herein, Video FlyBy™ refers to Aerial/Satellite oblique (angular) view images with polygon line views.

15 As used herein, RibbonView™ refers to a film strip like view of properties which stands up at approximately 90° from a flat or angled aerial/satellite ortho image map and provides direct-on front images of properties to be displayed.

As used herein, Flash Viewer (Streaming Video) refers to direct streaming of video to an online user via a web browser.

20 Methods

According to the present invention, image data is captured from disparate points along a continuum. Referring now to Fig. 1, in some embodiments the continuum 100 includes the path of a vehicle carrying a digital camera, or other image data capturing device. Image data sets are captured at disparate points 101-106 along the continuum.

25 Some preferred embodiments include capturing each image data set at an angle that is generally orthogonal to the subject matter 107.

Positional data and orientation of the camera capturing image data sets is recorded for each disparate point 101-106 along the continuum from which an image data set is captured. Positional data can include any data indicative of where the subject matter of

an image data set is located. Some preferred embodiments of positional data include Cartesian coordinates that are context sensitive according to the mechanism used to generate coordinate data.

5 Positional data can be generated, for example, by an image data recording device, such as a camera, associated with a device for recording a global position (GPS device). Time stamps associated with image data sets and time stamps associated with the GPS data can be utilized to correlate the GPS location data with image data set recorded by the image data recording device.

10 In still another aspect, in some embodiments, an altimeter can be used to record an altitude from which a camera records image data sets. The altitude data can be associated with an image data set, for example, metadata correlated with the image data set. Such embodiments can therefore include recordation of a latitude, longitude and altitude coordinate for a given image data set. In addition, it is also within the scope of this invention to record a time of generation of an image data set and a depth of focus for
15 an image data set.

According to the present invention, geospatial data, such as latitude and longitude coordinates, can be generated by the GPS and stored with image data generated by the camera. In some embodiments, GPS data can be time stamped and collected once every second. However, in some instances, GPS reception can be interrupted, depending upon
20 location relative to large object, such as multistory buildings, or cold cover. Therefore, some additional embodiments can include an accelerometer for recording motion associated with a camera and a GPS unit operatively attached to the camera.

Data from the accelerometer can indicate movement of the camera. Some accelerometers, such as micro electro-mechanical system (MEMs) accelerometers can
25 easily be incorporated into a camera system assembly attached to a vehicle. Use of multiple MEM accelerometers positioned to measure movement in four or more directions along an x-axis, y-axis, and z-axis in relation to a camera can also be used to calculate direction of movement. The accelerometer can therefore be used to extrapolate a current position of the camera, based upon a last set of GPS geospatial data recorded.

Geospatial data can be used to indicate an initial geographic position. A change in geospatial data can be additionally utilized to indicate velocity and direction of image data set capture. Accelerometer data may also be used to indicate a velocity and direction of image data set capture. Accelerometer data may also be used to indicate a velocity and direction of camera movement. Calculations of time elapsed at the indicated velocity (such as for example, the Kalman Filter) can yield a calculated position at a time of image capture, even if the time of image capture is between GPS readings.

For example, one standard can include tracking a camera position with a GPS unit that records location at a rate of once per second. The camera can record image data at a faster rate than once per second, such as, for example, one of: 12 images per second, 24 images per second or 29.97 images per second. An initial camera position can be recorded which correlates with a GPS reading, subsequent image data capture will occur in between the one second GPS reading interval. The camera position can be determined with a calculation based upon the velocity of camera movement supplied by the accelerometer and time elapsed since a previous GPS reading.

Still other embodiments can utilize optical flow methodology and visual odometry to facilitate calculations of a camera position and the velocity of a vehicle or person from which a series of image data sets are captured. Visual odometry can be accomplished with a single omni-directional camera or with stereo cameras, and is based upon processing which tracks the position of salient features in a series of feature sets and calculates movement based upon the relative positions of the features. In some embodiments, camera based simultaneous localization and mapping (SLAM) of visual image data can also be used to facilitate calculations of velocity of a change in position of a camera used to capture image data sets. Typically, the velocity will be directly tied to the motion of a vehicle to which the camera is mounted, or a person carrying a camera rig.

Orientation of a camera can include a direction of image capture recorded by the camera. Orientation can be designated, for example, in relation to the cardinal directions, i.e. north, south, east and west. Any means available to record such a designation, such as an electronic compass, is within the scope of the present invention. However, it may

be desirable to include a means to record the orientation with a greater degree of accuracy than is typically available through the use of an electronic compass.

Therefore, in some embodiments, orientation can be determined according to a fixed position of a camera in relation to the direction of travel of a vehicle (or person) used to transport the camera. For example, a plurality of cameras can be fixedly attached to a vehicle capturing Video DriveBy™ data. Each camera therefore maintains a constant direction of image capture in relation to the heading of the vehicle. Mechanics of the camera, such as, for example, lens parameters and shutter speed, can indicate a depth of field during camera image data capture. Some embodiments can also include simultaneously capturing multiple image data sets and correlating two or more of the image data sets. Correlation can be accomplished via a time stamp or other chronological or synchronous.

The position of a camera can be combined with a direction of image capture and the depth of field of the camera, to determine a location of image data captured by the camera at a particular instance in time. The present invention can also include apparatus for utilizing echo location to determine a distance of an object from a camera capturing an image data set and storing a correlated distance with the image data set. For example, radar data can be correlated with a camera image data set to calculate the location of various objects captured by the camera. A time stamp can also be combined with data to quantify a location for a particular image formed by the captured image data.

In some embodiments of the present invention data used to calculate a location of an image is stored in a metadata file space associated with the image data. For example, some embodiments can store metadata in the exchangeable image file format (EXIF), TIFFTAGS or International Press Telecommunication Council (IPTC) formats. Image data may be stored, for example in JPEG or TIFF formats. However, other metadata formats can also be used. Typically, due to the size of data files that are generated during capture of Video DriveBy™ data, the image data and metafile data are stored on an external data storage device, such as a hard disk drive operatively attached to the camera. However, in some embodiments, the data can be stored in the camera.

As discussed above, the metadata can include data descriptive of some or all of: date and time; camera settings such aperture, shutter speed and focal length; geospatial data from a GPS receiver unit; accelerometer data; inertial guidance system data; camera orientation; and camera fixed position related to vehicle travel.

5 Referring now to Fig. 2, exemplary image data sets 201-203 are illustrated which capture images of a subject 200 from different points along a continuum. In some embodiments, as illustrated in Fig. 3, image data sets 304-307 overlap the subject matter captured. The overlap allows for features present in one image data set to be present in a second image data set, and preferably in a tertiary image data set.

10 Referring now to Fig. 4A, a two dimensional image data set 400A is shown with highlighted pixels indicating feature points 401-403 of various objects contained within the image data set 400A. For example, one set of highlighted pixels 401 indicates feature points of a tree in a front yard of a real estate parcel. Another set of highlighted pixels 402 indicate feature points of a roof line of a house. A third set of highlighted pixels 403
15 indicate feature points along an edge of a driveway.

Fig. 4B illustrates a related two dimensional image data set 400B captured from a separate point along a continuum of travel 404. The image data set 400B includes many of the same features as image data set 400A and feature points 401-403 can be represented by highlighted pixels in image data set 400B. According to the present
20 invention, the location of one or more features is registered and the relative position of one or more features is tracked. The relative position of the one or more feature points can be combined, for example, with location data and orientation of a camera used to capture the feature points to generate point arrays based upon the feature point data.

Referring now to Fig. 5A, point cloud arrays 501A-503A can be generated which
25 represent various aspect of the image data sets. For example, a first point cloud array can represent the tree 501, a second point cloud array can represent the house 502 and a third point cloud array can represent the driveway 503. The position of each point cloud array is tracked. In some embodiments, as additional image data is made available, the data can be correlated with a particular geographic area and used create a more robust point
30 clouds,

Referring now to Fig. 5B point cloud arrays 501B-503B are illustrated based on additional image data sets of the same geographic area as that illustrated in Fig. 5A.

Additional image data sets can be generated, for example, from one or more of: multiple cameras capturing image data from a vehicle traversing a continuum; from one or more
5 cameras traveling a separate continuum proximate to the same geographic area; and from a single camera with a split image capture of a geographic area.

Multiple cameras can include, for example an array of cameras mounted to a vehicle in fixed positions relative to one another. The cameras may capture image data simultaneously or in timed sequence in order to capture related data. One or more
10 cameras traveling a separate continuum can include a vehicle making multiple passes proximate to a geographic parcel. The passes may be during different time periods, such as, for example, once per month, or during the same general time period, such as driving up and down a street multiple times. A single camera with a split image can include, for example, a high resolution camera with mirrors fixed proximate to the camera lens. The
15 mirrors can be maintained at a set distance apart and direct separate images to predetermined portions of the camera lens. The set distance between the mirrors can be useful, for example, for triangulation processing of distinct feature points.

In some embodiments, multiple cameras, or a split image can be utilized to provide image data that is displayed in relation to the vehicle from which the image data
20 is captured. some further embodiments can include the display image data in relation to the vehicle from which the image has been captured with no artificial delay. Therefore, as the vehicle is in motion, the display can include an image, or other representation of the vehicle and a display of captured image data, according to the methods described herein, in relation to the representation of the vehicle.

Various embodiments can include storage of the captured image data,
25 transmission of the image data, such as, for example via wireless transmission, or storage of the image data for some period of time, or until a predetermined amount of storage space has been utilized, after which the storage medium may store additional data over previously stored data. For example, a vehicle may carry a set amount of storage, and
30 when a threshold amount of the storage has been utilized, image data can be stored over

previously stored data. In other embodiments, image data may be stored for a predetermined amount of time, such as, for example, 2 hours, after which the image data may be overwritten. Still other embodiments can include reuse of storage medium used to store image data after image data has been transmitted. Transmitted image data may be
5 stored on an image data server farm or other storage facility.

In another aspect, in some embodiments of the present invention, the geographic position of multiple vehicles can be determined, such as , for example via GPS coordinates. If image data is desired for a particular subject at a known location, the location of the multiple vehicles may be used to determine which vehicle is used to
10 capture image data of the particular subject.

Referring now to Fig. 6, point cloud arrays can be converted to three-dimensional polygon based models of artifacts present in the image data sets. The three-dimensional polygon based models are based upon physical attributes determined by processing the two-dimensional image data. For examples a polygon model of a tree 601 will be based
15 upon point clouds derived from two or more two-dimensional data sets. Similarly, a structure 602, a motor vehicle 603 and a roadway may also be represented as three-dimensional polygon based models.

According to the present invention, image data derived from image data sets corresponding to the three-dimensional models can be sprayed over the three-dimensional
20 polygon models. In addition, positional data can be related to each polygon model and used to position the polygon model relative to other image data and polygon models. In some embodiments, polygon models are arranged in a continuum of image data according to the positional data.

Referring now to Fig. 7, in some preferred embodiments, image data sprayed over
25 the three-dimensional polygon formats includes a composite image is formed by aligning two or more of the image data sets. Unlike stitching processes previously known, the present invention creates a composite through alignment of portions of data from more than one data set. Alignment can be accomplished in image data processing. Using image data processing, the images 701-703 are aligned to form a composite image 700.
30 The composite image 700 is essentially two dimensional image data arranged as a second

continuum, or ribbon. The second continuum includes ongoing image data 701-703 captured from the points defining the first continuum.

In some particular embodiments, the series of points of image capture in the first continuum includes positions of a vehicle carrying an image capture device, such as a camera, as the vehicle traverses a path proximate to a geographic area. The camera is positioned to capture image data of the geographic area. Image data 701-703 is periodically captured as the vehicle traverses the path. The motion of the vehicle, combined with the periodic capture of image data 701-703, thereby results in image data 701-703 being captured from disparate points along the first continuum.

A preferred embodiment includes capture of image data with a motion vector of the camera in space maintained generally orthogonal to a subject for which image data will be captured. Orthogonal capture of the image data can facilitate consistency for subsequent composite of portions of the image data captured. Therefore, data captured at an angle of between about 75° and 105° can provide data most easily assembled into a continuum of data. However, other angles may be used to create different effects. In addition, in some embodiments physical limitation may dictate the use of other angles. In such instances, post processing can be utilized to compensate for the angle of image data capture.

During image data processing, some or all of the images are aligned to form a composite image in the form of a continuous pictorial representation of the geographic area. One commercial embodiment of a continuous pictorial representation includes RibbonView™ by Real Data Systems. RibbonView™ correlates a ribbon of geographic image data with geospatial designations to facilitate identification of a particular geographic area, as discussed more fully below. In various embodiments, image capture processing can be accomplished in real time or via post image capture processing.

In some embodiments, select portions 704-707 of two or more sets of captured image data are aligned to generate the composite image 708. As illustrated, some preferred embodiments include vertical slices of data 704-707 aligned in a horizontal plane to form the composite image 708. Unlike a traditional photograph taken with a macro lens, according to the present invention, the length of a horizontal plane defining a

composite image 708 is only limited by the length of a continuum along which points are defined and from which image data 704-707 is captured.

5 The use of only slices of data 704-707 from any particular captured image provides for a higher quality image 708. The quality is increased, for example, when a temporary obstruction, such as a passing car, person or animal, captured in one image data set, is only represented in a thin slice of a continuous ribbon 704-707 data. In addition, alignment of multiple thin slices of image data 704-707 is facilitated from the perspective of which aberrations typical human sensory is capable of distinguishing. Numerous thin slices 704-707 are perceived as a smoother transition across the horizontal
10 plane defining the composite image 708 removing a choppiness that may be experienced with the use of larger data images.

The present invention can include a uniform width of each slice of data 704-707 or a variable width. The width of a particular slice may vary, for example, upon one or more of the velocity of a vehicle from which image data sets are captured, the sample rate
15 of a camera used to capture an image data set 701-703, the resolution of a picture comprising an image data set 701-703 and the path of a camera. A high resolution image generated by a 2.1 mega pixel camera may have a 1600 by 1200 resolution and allow for a thinner slice 704-707 that includes a width of between about 5 to 700 pixels of an image data set. Embodiments with very high quality can include a slice 704-707 of
20 between 1 to 2 pixels.

From a different perspective, some embodiments can include a slice 704-707 of an image data set 701-703 that includes a percentage of the image data set 701-703. Accordingly, some preferred embodiments can include a slice 704-707 of between about 5% to about 12% of an image data set. Other preferred embodiments can include up to
25 about 50% of an image data set. However, it should be understood that some embodiments include a slice 704-707 that constitutes any fraction of the complete image data set.

Referring now to Fig. 7, three sets of image data 701-703 are illustrated, wherein each set of image data 701-703 represents data captured from a disparate point on a
30 continuum proximate to the landscape captured. A direction of travel along the

continuum 700 is also illustrated. Each data set 701-703 is divided into multiple slices of image data 704-709. A composite image 270 is generated from the multiple slices 704-709, and in the exemplary case at hand, additional slices from additional image data sets.

It should be noted that although preferred embodiments may utilize vertical rectangular slices 704-709, the scope of the present invention is not limited by which portion of an image data set 701-703 is utilized to generate a composite image 270. Therefore, it is within the scope of the invention to use any portion of any image data set 701-703 to generate a composite image. Accordingly, slices of an image 701-703 other than vertical slices 704-709 may be apportioned and combined into a composite image 720. Slices may therefore include a slice angled at 60° or 75°, or other angle conducive to a particular application. In addition, it is also within the scope of the present invention to utilize irregular shaped portions of two or more image data sets 701-703 to generate a composite image 720.

In some embodiments, a database or other data processing mechanism, can track each portion or slice 704-708 utilized to construct a continuum and associate the slice 704-708 with an original image 701-703 from which the slice 704-708 is derived. User interactive devices can execute the retrieval of an entire original image 701-703 or a series of original images 701-703 upon request. In some instances, one or more original images 701-703 may provide detail not included in the composite image 708.

In some embodiments, a selected portion of an image data set may be determined by the physical attributes of the equipment used to capture an image data set. For example, a typical camera lens can impart some distortion to an image data set, as represented in the illustration by an elongated portion and a compressed portion. Utilizing only a portion of an image data set, such as, for example, a center portion vertical slice, can minimize the effect of distortion introduced by a lens, or other source, to a composite image. Distortion is minimized when the composite image is made to include those portions of the image data set corresponding with the center of the lens. Specific embodiments may likewise account for other aberrations that may be present in a set of image data.

It will be apparent to those schooled in the art that the length of a composite image generated according to the present invention is limited only by the ability to capture image data from additional points on a continuum and store the captured image data for post processing. Image data processing allows for the alignment of portions of the image data compiled into a composite two-dimensional view that can continue so long as additional image data is made available to be added to it.

In another aspect of the present invention, in addition to image data sets captured from disparate points along the continuum, additional data may also be captured from various disparate points along the continuum and correlated with the image data. For example, in some embodiments, the strength of communications signals can be captured at some or all of the disparate points and recorded in relation to the geographic location at which they were recorded. Communications signals can include, for example, cellular phone signals available at a given point. Geospatial data can be recorded which correlates with the cellular phone signal strength and the image data set. Other measurements may include, for example: wireless network data, including network name, location and signal strength; global position system satellite data and signal strength; radio signal strength; and almost any other measurable quantity. Datum can all be correlated according to a geographic location and presented in various combinations or upon demand. In addition, the data can be presented in conjunction with or independent of, an image data continuum or image data set.

Apparatus

The teachings of the present invention may be implemented with any apparatus capable of embodying the innovative concepts described herein. Image capture can be accomplished, for example, via a digital camera capable of capturing 12 or more images per second. In addition, Fig. 8 illustrates a controller 800 that may be utilized to implement some embodiments of the present invention. The controller 800 comprises a processor unit 810, such as one or more processors, coupled to a communication device 820 configured to communicate via a communication network (not shown in FIG. 8).

The communication device 820 may be used to communicate, for example, with one or more online devices, such as a personal computer, laptop or a handheld device.

5 The processor 810 is also in communication with a storage device 830. The storage device 830 may comprise any appropriate information storage device, including combinations of magnetic storage devices (*e.g.*, magnetic tape and hard disk drives), optical storage devices, and/or semiconductor memory devices such as Random Access Memory (RAM) devices and Read Only Memory (ROM) devices.

10 The storage device 830 can store a program 840 for controlling the processor 810. The processor 810 performs instructions of the program 840, and thereby operates in accordance with the present invention. The processor 810 may also cause the communication device 820 to transmit information, including, in some instances, control commands to operate apparatus to implement the processes described above. The storage device 830 can additionally store related data in a database 830A and database 830B, as needed.

15 In some preferred embodiments, apparatus includes a video and data server farm. The video and data server farm includes at least one video storage server that stores video image files containing video drive-by data that corresponds to a geographic location, a database server that processes a data query received from a user over the Internet that corresponds to a geographic location of interest, and an image server. In operation, the database server identifies video image files stored in the video storage server that
20 correspond to the geographic location of interest contained in the data query, and transfers the video image files over a pre-processing network to the image processing server. The image processing server converts the video drive-by data to post processed video data corresponding to a desired image format, and transfers the post processed
25 video data via post-processing network to the Internet response to the query.

A landing zone server can also be included which receives the video drive-by data from a portable memory device and permits the viewing and analysis of the video drive-by data prior to storage in the video storage server. Still further, a map server is preferably provided to present a static image an overhead view of the geographic location
30 of interest.

Embodiments can also include one or more servers described above included in one or more physical units. Each server does not need to be a disparate apparatus. Still other embodiments can include one or more of the servers described above included in multiple physical units. Some embodiments can even include a single server, as
5 described which includes multiple physical apparatus units at disparate locations.

Conclusion

A number of embodiments of the present invention have been described. Nevertheless, it will be understood that various modifications may be made without
10 departing from the spirit and scope of the invention. For example, various methods or equipment may be used to implement the process steps described herein or to create a device according to the inventive concepts provided above and further described in the claims. In addition, various integration of components, as well as software and firmware can be implemented. Accordingly, other embodiments are within the scope of the
15 following claims.

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 12/035,423	
APPLICATION AS FILED – PART I						
(Column 1)		(Column 2)		SMALL ENTITY		OR
OTHER THAN SMALL ENTITY						
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	75	N/A	
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	255	N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	105	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	25	minus 20 = 5	X\$ 25	125	X\$50	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1	minus 3 = 0	X\$105		X\$210	
APPLICATION SIZE FEE (37 CFR 1.16(s))			If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			185		370	
			TOTAL	560	TOTAL	
* If the difference in column 1 is less than zero, enter "0" in column 2.						
APPLICATION AS AMENDED – PART II						
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
OTHER THAN SMALL ENTITY						
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
	Total (37 CFR 1.16(i))	Minus **	=	X =		X =
	Independent (37 CFR 1.16(h))	Minus ***	=	X =		X =
	Application Size Fee (37 CFR 1.16(s))			N/A		N/A
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			TOTAL ADD'T FEE		TOTAL ADD'T FEE
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
	Total (37 CFR 1.16(i))	Minus **	=	X =		X =
	Independent (37 CFR 1.16(h))	Minus ***	=	X =		X =
	Application Size Fee (37 CFR 1.16(s))			N/A		N/A
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			TOTAL ADD'T FEE		TOTAL ADD'T FEE
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.						

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